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OF THE

ASSEMBLY

OF THE

STATE OF NEW YORK,

ONE HUNDRED AND SEVENTEENTH SESSION.

1894.

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ANNUAL REPORT

OF THE

STATE ENGINEER AND SURVEYOR

OF THE

STATE OF NEW YORK,

FOR THE

Fiscal Year Ending September 30, 1893.

TRANSMITTED TO THE LEGISLATURE JANUARY 22, 1894.

ALBANY:
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STATE OF NEW YORK.

No. 21.

IN ASSEMBLY,

JANUARY 9, 1894.

ANNUAL REPORT

OF THE

STATE ENGINEER AND SURVEYOR.

STATE OF NEW YORK:

OFFICE OF THE STATE ENGINEER AND SURVEYOR,
ALBANY, *December* 15, 1893.

To the Honorable the Speaker of the Assembly:

I have the honor to submit herewith my annual report for the fiscal year ending September 30, 1893.

Very respectfully, your obedient servant.

MARTIN SCHENCK,
State Engineer and Surveyor.

REPORT.

OFFICE OF THE STATE ENGINEER AND SURVEYOR,
ALBANY, N. Y., *December* 15, 1893.

To the Honorable the Legislature of the State of New York:

The State Engineer and Surveyor has the honor to submit his report for the fiscal year ending September 30, 1893.

The varied engineering operations connected with the public works of our State are by the provisions of the Constitution and statutes intrusted to the care of this Department and a statement of the several subjects that have occupied its attention during the past year, together with such recommendations as are deemed advisable, are hereby submitted to you. Your attention is more especially called to that most important portion of our public works, our State waterways, and their present condition and needs, and it is sincerely hoped that their importance will not be underestimated nor lost sight of by the Legislature at its coming session. It may be stated without fear of contradiction that the State of New York owes her present exalted position largely to her commercial interests; that the State canals have to a very large degree contributed to its great wealth, and that the cost of canal maintenance has been trifling compared with the benefits which it has conferred. At the beginning of the present century the wealth of this State was exceeded by that of the States of Massachusetts, Pennsylvania and Vermont, and equaled by that of the States of Connecticut and North Carolina. The completion of the Erie canal changed this condition and our State at once took her place at the head of the list and has maintained that proud position to the present time. Were there no danger to be feared of losing our commerce through competing routes the question of the maintenance and improvement of our

waterways might not be a matter of great moment, but, when we witness the extraordinary efforts now being made to divert the commerce of the Great Lakes towards New Orleans, Baltimore, Norfolk and through the Canadian waterways, it behooves us to see that not only are our canals maintained in their present degree of efficiency, but that such improvements shall be made to them as will meet the demands of the rapidly increasing commerce of the great Northwest and enable us to retain the commercial supremacy attained during this century. Nearly every civilized nation realizes the great value and importance of water transportation and we see to-day our sister nations engaged in the operation of creating new waterways or improving old ones.

The maintenance and improvement of our waterways are matters that concern every community of our State, whether on the lines of the several canals or remote therefrom and, while it must be confessed there is some opposition to the making of necessary appropriations for canal improvements, I am thoroughly convinced that the great mass of our citizens are heartily in favor of the giving of such sums of money as shall be necessary to secure the maintenance of our present system in a high state of efficiency and to provide for its gradual improvement.

The general condition of our canals has been well maintained during the past season; there having been no serious breaks or detentions to navigation and the traffic on the Erie canal has exceeded that of any year during the past decade.

In acting upon any measure appropriating moneys for the furtherance of canal interests, you should bear in mind the fact that canal repairs and canal improvements are by no means synonymous terms and your attention is called to the fact that of the various appropriations (amounting to about $700,000) made by the Legislature of 1893, for so-called canal improvements, less than $200,000 were expended upon the obtaining of what can properly be considered as improvements to our general canal system. The balance of these appropriations, aggregating upward of half a million dollars were expended for the care and maintenance of the canals or in the interest of individual localities. In view of this condition of affairs I would again repeat the recommenda-

tions made by me in a former report, that extraordinary canal appropriations should be confined as strictly as possible to expenditures for general canal improvements and that bills looking toward this end, should emanate from those departments of the State who are charged with the responsibility of the maintenance, operation and improvement of our canals.

Water Supply and Dams.

The dam at Forestport, the completion of which was authorized by the Legislature of 1892, is now in process of construction under a contract with Beckwith & Quackenbush, and it will, I think, be entirely completed before the close of the present calendar year. By its building a vast reservoir will be created and an abundant supply to the long level of the Erie canal secured for so long a time as this canal retains anything approximating its present dimensions. Another danger, however, threatens this source of supply which has been referred to in each of the successive annual reports from this department for several years, viz., the condition of the locks on the Black River canal.

The experience of last winter, with reference to lock No. 76, on this canal, but emphasizes the position taken by this Department in the reports referred to. During the latter portion of the winter of 1893, this lock failed so completely that it was found that it would be impossible to open navigation on this portion of this canal unless it was rebuilt. Legislative authority for its rebuilding was obtained, plans expeditiously prepared, contract let and the work was completed and navigation opened July 5. Twenty other locks here are in an advanced state of dilapidation and unless they are shortly rebuilt this canal will be closed to navigation. I would advise that either the rebuilding of ten of these locks be immediately authorized or else that this canal be abandoned as a navigable channel and necessary appropriations made for such changes in its structures as will be required to maintain its usefulness as a feeder to the Erie canal. That portion of the Erie canal extending from Syracuse to Little Falls is absolutely dependent on the feed received through the Black River canal, and the feeder at Rome.

I do not recommend the abandonment of this canal as a navigable channel, but I wish to call your attention, most earnestly, to the fact that in its present condition, the water supply to the Erie canal is seriously threatened, and that necessity exists for the taking of some steps to avert this catastrophe.

A substantial stone dam has been built across the Mohawk river, at Little Falls, and the great loss, by leakage, through the old wooden dam which previously existed here has been effectually cut off.

The tree dam at Stillwater has been raised five feet, and, I think, the State has now fully discharged all of its equitable obligations incurred by the diversion of waters for the Erie canal from riparian owners residing on the Black river below the site of this dam.

Plans have been prepared for substituting for the most dilapidated portion of the wooden dam across the Seneca river at Baldwinsville, as authorized by chapter 113, Laws of 1893, a cut-stone dam of approved design with a curved stone apron. This work is under contract and will probably be completed during the next summer.

Chapter 643, Laws of 1893, authorized the repairing of the dam across the Mohawk river at Cohoes and appropriated $90,000 for that purpose. Preparation of plans for this work required a large amount of careful though interesting study. Just previous to the final passage of the bill in the Legislature, the floods did a large amount of damage which was not anticipated at the time of the introduction of the bill, and when these floods subsided it was a very serious question as to how the necessary work could be done within the limits of the appropriation. The results of my study of the question convinced me that a cut-stone dam could be rebuilt for the sum appropriated, but that if this course was adopted, the apron of the same would have to be omitted, and a further application made to the Legislature for a large sum of money with which to build said apron. I also feared that it would be dangerous to erect a stone dam upon the friable slate rock existing here and leave it exposed, without an apron to the action of even one year's floods. I, therefore, approved a plan, entirely novel in its design,

so far as I know, of repairing this dam, by filling up the breaks with a cheap grade of masonry, and protecting the same by a curved steel apron resting on, and imbedded in concrete.

Contract for this work has been let and work is now in progress, and about three-fifths of the same will be completed before winter puts a stop to operations. I have carefully examined the work during its progress, and have no reason to fear that this novel scheme will not be perfectly successful.

The discovery, however, of a large stone buttress imbedded in the old apron, which could not be seen at the time of the preparation of the plans, and the development of the fact that the security of the work has demanded the use of a much larger quantity of grout than was expected, will result in enhancing the cost of this work, and you will probably have to be asked for an additional appropriation of a few thousand dollars for the completion thereof. An estimate of the amount of the additional appropriation needed will be hereafter transmitted to you.

Chapter 155 of the Laws of 1892 directed me to make an examination of the dams across the Mohawk river at Cohoes and the Hudson river at Troy, and to report to the Legislature the condition of these structures, with estimates of the cost of new dams, should it, in my opinion, be advisable to construct the same. With reference to the Cohoes dam this duty was fully discharged in a report made by me to the Legislature of 1893, but with reference to the Troy dam only a partial report was made. Since the date of this latter report I have completed my examination of the latter structure. This is a wooden structure, 1,100 feet long, built at about the time of the opening of the Champlain canal, and it has been maintained and, from time to time, repaired at a varying but large cost ever since. In its present condition it is leaky and somewhat insecure, many of its timbers lying above the low-water level of the river are decayed, and much of the stone filling in apron has disappeared. I have had careful lines of soundings made across the river-bed near toe and crest of dam, in order to establish the elevation of the underlying rock, and herewith present to you a profile showing the information thus obtained. From this profile the fact is

observable that, in some places, the rock lies as low as 37.5 feet below low water, and that for over 400 feet of its length it lies twenty-five feet below said water line. On June 12, 1893, a breach occurred in this structure, and sixty lineal feet of it were carried away to a depth of sixteen feet below low water. This breach was repaired in sixty days, at a cost of $14,000. No serious injury was inflicted either on property below the dam, by the passage of this water past it, nor to that above it by the emptying of the pond, nor would any great inconvenience have been felt by canal traffic by this enforced temporary suspension had the Cohoes dam been in good condition, as boats which would otherwise have reached the Champlain canal via the Troy pond and Waterford could have reached it via West Troy and Cohoes. Under the conditions which existed, however, at the time of the break, the dilapidated condition of the Cohoes dam had so lowered the water in the pond above it as to suspend navigation by this latter route for a few days, until a deeper channel could be dredged in the Cohoes pond. To build a stone dam at this point would necessitate the dredging out of the river-bed to the level of the rock as shown on the profile, and the building of a large stone structure, probably exceeding $500,000 in cost. A cheaper and probably as efficient method of construction would be to dredge out the river-bed to the level of the rock, and to sink in the channel thus excavated timber cribs, partially filled with concrete to prevent leakage, to cut these cribs off at an elevation of about one foot below low water, and to surmount them with a stone or iron structure carried to the elevation of crest of present dam. In view, however, of the facts that the breach of this year did not inflict serious injury on any property owners contigous to this dam, that a breach here does not necessarily suspend navigation on the Champlain canal, and that this breach, which was as bad as any one which we might reasonably expect, was repaired within the time and at the expense stated, I am not of the opinion that it is desirable to build a new dam here, but would advise that the present structure be now put in repair and that hereafter a sufficient sum from the ordinary repair

Profile on a line 30' North of Base Line

Profile on a line 65 ft South of Base Line

HUDSON RIVER

Green Street

Road to Troy

Saw Mill

Paper Mill

Stone Yard

Brick Yard

Brick Yard

Brick

nd be annually devoted to the care and maintenance of this ructure so that the danger of serious breaks may be reduced a minimum.

Enlargement and Improvement of Canal Prism.

The Legislature of 1893 made an appropriation of $50,000 for e improvement of the Champlain canal. Plans have been pre- ared for this work upon a basis of forty-four feet bottom width d six feet depth of water on 6,500 feet of this canal, running utherly from Wilbur's basin waste-weir; contract therefor has en let and work is in now in progress, which will probably be mpleted by the opening of navigation in 1894. Between 1874 the opening of navigation in 1894 the State will have ended $1,075,000 in obtaining a channel of the above named ensions for about twenty-seven out of the sixty-six miles of is canal. Some portions of it, notably that along Wood creek, ll not require enlargement. It has been estimated that the cost completing the enlargement of this canal, to the dimensions ecified, for its entire length, would be $1,000,000.

I desire to renew the recommendations heretofore made by me nd by my predecessors that this work be prosecuted on a ale commensurate with its size and the advantages to be gained ereby. Nearly all of the benefits of the large sums heretofore pended were held in abeyance until the whole work shall be mpleted. It hardly seems to me a wise financial policy to pro- ed with this large work at the rate of $50,000 per year. There no good engineering reasons why this whole work could not e completed within three or four years, and my advice is that ther it should be temporarily abandoned or proceeded with at he rate of from $250,000 to $300,000 per year.

I would respectfully refer you upon this subject to the remarks ade on page 9 of my last report to you.

The dangerous condition of the embankment at Schenectady emands your prompt attention. A break here would be xtremely disastrous not only to the canal but also to the large anufacturing interests that have grown up on its banks.

Within the past few years 4,550 feet of this dangerous embankment has been protected by a substantial stone wall, and it is of the utmost importance that the building of the remaining 4,150 feet, of which I estimate the cost at $35,000, should be authorized this year.

On the middle division of the Erie canal there still remains ten and one-half miles of old bench walls which should be removed and replaced by walls extending to canal bottom in order to bring the canal up to the efficiency of its present standard condition. In 1883 an estimate was made for this work fixing the cost of the same at $152,000. I would recommend its prosecution now on such a scale as would allow its completion within three years.

For several years the friends of the canal system of the State have been agitating the question of deepening the Erie canal. Different propositions have been advanced, but in my opinion the one which is most feasible is that looking forward to the deepening of this canal to nine feet of water, except through locks and aqueducts and over culverts, while retaining its present width, unless a more radical enlargement, hereinafter treated of, shall be deemed advisable. Various estimates have been made of the cost of this improvement, the most reliable of which are those emanating from Horatio Seymour, Jr., late State Engineer and Surveyor, and Elnathan Sweet, late State Engineer and Surveyor. It is, however, a fact that both of these estimates have been made upon data showing conditions not existing to-day, and that, since their publication, these conditions have greatly changed by the filling up of the canal with sediment, the growth of the large cities along its line, and the multiplication of bridges, both stationary and movable.

I would, therefore, renew the recommendations made in my last report, which for some unexplained reason the friends of the canal did not actively press upon the attention of the Legislature, that sufficient funds be placed at the disposal of the State Engineer and Surveyor to allow him to make a survey from which to judge of the cost and advisability of carrying out this improvement, or else that an expert commission be formed and supplied

with sufficient funds to obtain the necessary data to determine whether this policy should be pursued or whether the Erie canal should be enlarged to even greater dimensions. Should the agitation of the question of applying electricity as a motive power to the canals, result in obtaining an economical method of propelling boats at a higher rate of speed than that obtainable under present systems, the securing of an additional depth of water would become immediately necessary.

Lock Lengthening.

Owing to the failure of the Legislature of 1892 to enact the usual law providing for canal improvement, no lock was lengthened on the canals during the winter of 1892-93. Chapter 119 of the Laws of 1893 made provision for the lengthening of lock No. 19 on the Erie canal, and this work is now under contract, and therefore, on the opening of navigation for the season of 1894, there will remain unlengthened on the Erie canal between the head of the Cohoes ascent and Buffalo, exclusive of the five combined locks at Lockport, ten locks, viz.: Three between the upper and lower Mohawk aqueduct, four at Little Falls, and three at Newark. Provision should be made at the approaching session of the Legislature for the lengthening of lock No. 20, being the second lock above the lower Mohawk aqueduct, and for a change of alignment of about three-quarters of a mile of canal at Newark, and the substitution, for the three locks of eight feet lift now there, of two pairs of combined locks each 220 feet long, having lifts of twelve feet.

This would leave unlengthened the two locks just below the upper Mohawk aqueduct, where the alignment of the canal renders it almost impracticable to lengthen them without rebuilding one or both of the entire structures, the lengthening of which may be deferred for the present (if not wholly abandoned), and the four locks at Little Falls, where the topographical features of the country, while not presenting any insurmountable engineering difficulties in their lengthening, renders the work on some of them abnormally expensive, and as these locks lie so near each other that no great advantage to navigation would accrue by lengthen-

ing one or two of them, provision should not be made for lengthening any of them until the proper season arrives (in the winter of 1895, if the recommendations of this report are enacted into law this winter) for authorizing the lengthening of them all. The adoption and the prosecution of the policy of lock lengthening has resulted in the almost universal use of the system of navigating the Erie canal by "double headers," and also in so increasing steam navigation on the canals as to raise it from almost nothing in 1883, the date of the commencement of lock lengthening, to its present status. I think it may be safely asserted that now the greater part of the through tonnage of the canal is carried in fleets of two, four or six boats propelled by a steamer.

Your attention is called to the very carefully prepared, valuable and interesting data covering steam navigation on the canals contained in the report of my predecessor for the year ending September 30, 1891, and more especially in this connection to the tables he gives of cost of freight transportation between Buffalo and New York, by, first, double-header horse-boats; second, four-boat steam fleets, and, third, six-boat steam fleets, considered separately as making six trips per year and seven trips per year, by which it will appear that, for the season of 1891, he estimates that double-header horse-boats making six trips actually lost eighty-one dollars for the season, while the same making seven trips made a profit of $356. His table of profit increases until it shows a six-boat steam fleet making six trips capable of earning, at rates prevalent in 1891, a profit of $3,081. I regret, for the purposes of this argument, that Mr. Bogart did not extend his investigations to a consideration of the conditions surrounding the single boat towed by two or three horses, but he probably considered this system so antiquated and profitless as not to be worthy of consideration. The conditions here shown have been rendered possible only by the adoption of the system of lengthened locks. The lengthening of locks herein recommended during the season of 1895 and 1896 will still further increase the possible profits of canal navigators adopting modern methods of propulsion. Is it not our duty to give them this opportunity?

Buffalo Harbor and Erie Basin.

Chapter 119 of the Laws of 1893, appropriated the sum of $30,000 for the purpose of deepening Black Rock harbor and the Erie basin at Buffalo, and, under the provisions of this act, plans were prepared by this Department and contracts let by the Superintendent of Public Works for obtaining in Black Rock harbor a channel 1,000 feet in length, with a width of fifty feet and twelve feet depth of water, and in the Erie basin a channel 100 feet wide, with a depth of eighteen feet of water, 660 feet in length. The work provided for by these plans consists of submarine rock and earth excavation and will probably be completed early in the year of 1894. The immense and rapidly increasing commerce of the port of Buffalo would seem to warrant the continuance of the policy of deepening and otherwise improving its harbor and basins, and I would, therefore, recommend that such improvement be carried forward to completion at a rate of expenditure of not less than $30,000 per annum.

Aqueducts.

The upper and lower Mohawk aqueducts and the one at Schoharie creek having become unsafe by reason of decayed portions of the timber constituting parts of these structures, upon recommendation of this Department, the last Legislature, by chapter 5, Laws of 1893, appropriated the sum of $75,000 for the purpose of making in part the necessary repairs thereto.

In devising the best methods for the most economical expenditure of this fund, I decided that a wrought-iron truss should be substituted for the wooden truss now supporting the vertical sides of aqueducts on berme side of the canal, and plans have been prepared and contract awarded for the furnishing and placing of thirty-five of these trusses upon the upper and lower Mohawk aqueducts, and the iron for the same is now delivered on the ground.

The Superintendent of Public Works has perfected arrangements for necessary repairs to woodwork and protection of masonry, and work will be completed up to the limits of the appropriation prior to the opening of navigation in 1894.

While I believe that the work now in progress will make these aqueducts reasonably safe for a few years, it must be remembered that the funds at hand are not sufficient to carry out these designs for the full length of all of these aqueducts. Only the worst portions of them will be thus repaired, and I think, therefore, that within the next two or three years legislation should be had to extend this system of repairs over their entire length.

The remaining aqueducts are in fairly good condition, except that several of them require some minor repairs, as will be noted in the reports of the several division engineers, hereto appended.

The Albany Basin.

For several years the policy has prevailed of dredging the Albany basin, and large sums of money have been expended on this work only to see the excavations made during each year filled up the following season by deposits from the Albany sewers and by the action of the floods in the Hudson river. Since 1888 there has been expended in dredging this basin the large sum of $70,000, and some steps ought to be taken to prevent, if possible, this ever-recurring waste of public funds. The several careful examinations made by me into the matter satisfy me that the area of the basin is decidedly greater than that required for the needs of the State, and that a material reduction of this area would enable it to keep the portion retained in a far better condition than now obtains for a much smaller expenditure of money. Chapter 567 of the Laws of 1893 created a commission, consisting of the State Engineer and Surveyor, the Superintendent of Public Works and the city engineer of the city of Albany, to whom was intrusted the duty of examining into, and reporting on, some scheme for improving the conditions existing in this basin, and a report of this commission will shortly be submitted to the Governor, to whom the said report was directed to be made. A scheme, which will probably meet the approval of the members of the commission named, provides for a radical change and reduction of area of that portion of the basin lying north of Columbia street, and a change of alignment on the westerly side of that portion of it lying south of that street. The proposed scheme also

provides for a safe and easy outlet for canal boats to the Hudson river from the eastern terminus of the Erie canal, which will be a decided improvement over existing conditions at that point.

Lift Bridges.

I have, during my entire term of office, been very desirous of devising some radical improvement in the plans of movable bridges over the canals and have given this subject much careful consideration. The objections to the styles of lift-bridges heretofore built are: First. That they are unsightly structures and detract from rather than add to the aesthetic features of the cities and villages in which they are located. Second. That all the machinery for operation, including the heavy counterweight boxes, are carried overhead and thus become a source of danger to the traveling public, and; Third. They are liable to frequent and vexatious derangement of their machinery involving the blocking of traffic either on the canal or on the streets. Plans are now in course of preparation and will shortly be submitted to the Canal Board for two lift-bridges over the Erie canal at Genesee street, Utica, on which it is designed to place the counterweights and other machinery in a well below the grade of the street and consequently out of sight and in a position where the safety of the traveling public will not be endangered and plans for a somewhat similar structure are being prepared for a bridge at Clinton street, Syracuse. The former it is designed to operate by electric power taken from electric-light wires of the city and the latter by water-power taken from the city mains. By the adoption of these plans the first two of the above-named objections will be entirely removed and I hope the second greatly lessened.

The most troublesome of these bridges has been the one across the Erie canal at West Main street, Rochester. Owing to the great length, width and skew of this structure it has never worked satisfactorily, and for several years the frequent interruptions to the traffic of the street, owing to the frequent derangements of its machinery, have been the source of great public inconvenience.

In the spring of 1892 enlarged operating cylinders were placed in this structure, which have proven to be of sufficient power to properly move the floors, and since that time the interruptions to traffic have been much less frequent and of shorter duration, but some difficulties have been encountered during the present year. I have very carefully examined this structure and have reached the conclusion that the trusses and the floor system are of sufficient capacity for the work they are called upon to do but that some portions of the machinery are too weak. I have recommended to the Superintendent of Public Works some changes which should be made in the machinery and if these recommendations are carried into effect I doubt not that the difficulties here, if not wholly obviated will be greatly minimized.

The original cost of lift-bridges and the fixed expense of operating them is so great, and the inconvenience entailed by their frequent failure to operate caused by defects in, or failure of their delicate machinery, is so serious to either canal or street traffic as to lead me to recommend that, as a general policy, their erection should be discouraged and that legislative sanction should only be given to their construction where the proof is positive that the needs of the community actually demand it and would not be properly subserved by a fixed bridge.

Surveys for the State Board of Claims.

It has been the custom for several years past for the Legislature to make an appropriation, to be expended by this Department, for the purpose of making (for the use of the Attorney-General in defending the rights of the State in suits brought against it before the Court of Claims) such surveys and maps as shall assist that officer in making a proper defense of the State's interests.

The amount annually appropriated, $5,000, has generally proven adequate for the necessary surveys, but, in order to provide for the very large number of important cases requiring attention this year, the last Legislature, on my recommendation, granted an additional sum of $2,500, thus enabling this Department to complete the surveys for the Oswego river claims as well as making all maps, etc., necessary for the current year. In

view of the fact that the expensive surveys on the Oswego river have been completed, I am of the opinion that the usual appropriation of $5,000 will be ample for the needs of the coming year.

Abatement of Nuisances on the Chemung Canal.

The Legislature of 1892 directed the State Engineer and Surveyor to make a survey of the abandoned Chemung canal and feeder and to report to the Legislature what steps, if any, ought to be taken by the State to abate the nuisances alleged to exist along the line of this canal and feeder owing to insufficient drainage thereon; and, in obedience to this mandate, I caused a survey to be made, and reported in detail the results of that survey to the Legislature of 1893. As a result of that report an appropriation of $15,000 was made by that Legislature for the purpose of carrying out the recommendations therein contained. Contracts have been let and work of abating three of these nuisances completed up to this time, and plans and estimates for the abatement of the others named in that report are being prepared, and the work will probably be let prior to close of the present year.

I am of the opinion that when the work recommended in the foregoing named report shall have been completed, the State will have discharged any obligations that may have been incumbent upon it in the matter of nuisances existing on the abandoned Chemung canal or its feeder.

The Erie Canal of the Future.

At the last session of the Fifty-second Congress, a bill appropriating $100,000, having for its object the making of a survey of a proposed ship canal route from the great lakes to the Hudson river, was introduced, but failed to receive the assent of a majority of the members of the two houses so that the matter was deferred for the year. A similar measure is pending before the present Congress, and in view of the great dearth of definite information on so important a subject as the cost, water supply, etc., of a ship canal connecting the lakes with tide water in the Hudson, it is recommended that the Legislature of this State urge upon its representatives in the National Legislature the

importance of the proposed survey, and ask their co-operation in securing the making of the necessary appropriation for the purpose named. The scheme of making a grand channel, with a capacity for transporting ocean or lake vessels from the Hudson to the lakes is a very attractive one, but, while by no means impossible from an engineering standpoint, it is a fact no such channel, wholly artificial throughout its entire length (a distance upwards of 350 miles), has ever been attempted, nor do I believe it will be in the near future. Should the survey contemplated be made, it would, at least, settle the vexed question of the cost of the proposed canal, which has been variously estimated at from 50,000,000 to 600,000,000 of dollars, the latter being the figures given by those best informed on the subject. In a former report, discussing the question of the practicability of constructing a ship canal from the Hudson to the lakes, I took occasion to say:

"The difficulties to be encountered, although perhaps not insurmountable in these days of advanced engineering and mechanical science, are very great. The question of an adequate water supply, to be obtained without very serious detriment to an immense number of large manufacturing interests, is a very grave one, and the vast sum of money required to complete the proposed work appalling. It is perhaps true that a supply of water for the eastern portion of the proposed canal might be obtained by the diversion of the waters of the whole western watershed of the Adirondacks, but in that event what compensation shall be made to the vast manufacturing interests that now receive their supply from that locality. As to the cost of the contemplated canal, although no figures for close approximation are to be had, it is quite safe to assume that with the necessary number of locks or lifts, reservoirs, basins and such number of draw-bridges as would not make this channel a calamity in the more populous localities, it would cost, at a conservative estimate, not less than half a billion of dollars. The two principal reasons advanced for the construction of this gigantic work are, first, the necessity for a channel through which war vessels may be sent through United States territory, from the ocean to the lakes; second, that

grain may be sent from Duluth to Europe without breaking bulk. In regard to the first, reasoning from current events, it seems not only possible, but even probable, that if the proposed canal were begun to-day and progressed with reasonable rapidity, upon its completion we would find that the present northern international boundary had ceased to exist. In respect to the second question, the existence of the modern elevator renders it no longer a serious one, as the best informed grain shippers are largely of the opinion that the benefit to the grain in being transferred at Buffalo and New York more than compensates for a fair cost of handling; thus the question of breaking bulk may be dismissed as unworthy of consideration."

While an advocate of having the proposed survey made, and the results published by the government, as a welcome addition to our general fund of useful knowledge, I do not wish to be understood as advocating government control of our State canals. To any one who has given the matter serious study, it must be very apparent that it would be unsafe to transfer to the general government the control of our State canals, and whatever improvements or enlargements are to be made ought to be so made by the State with government aid, if possible, without such aid, if in order to secure it, proprietorship of our waterways must be relinquished.

The center of political power has long since passed far to the westward of New York (of which fact we had a valuable object lesson less than three years ago) and should the general government secure control of our canals we have no assurance that in the future, influence would not be brought to bear in the interests of other sections of our country that might be the means of defeating measures necessary for the maintenance of these important waterways. If the State is to continue alone to control, support and improve our canal system, the ship canal project must be dismissed and a scheme devised for something on a scale of less magnitude and one of two plans proposed will, I believe, with improved and cheapened methods of motive power, solve the problem of cheap, if not rapid transportation from the lakes to tidewater, and enable the Empire State to maintain her commercial supremacy for many years to come. Of the several schemes of

improvement advocated by the friends of the Erie canal one of the most feasible, when its comparatively small cost is taken into consideration, is that known as the "Seymour plan," by which it is proposed to deepen the canal to a depth of nine feet of water, by raising the banks one foot and by excavating the bottom one foot, except through locks and over aqueducts and culverts, and lengthening the locks so as to permit the passage of double headers.

Should it be found impossible to secure appropriations necessary to construct such a canal as hereafter described I shall continue in the future, as in the past, to advocate the completion of the improvement contemplated in the "Seymour plan."

Nothing has been done in pursuance of this plan, however, except to lengthen one tier of a portion of the locks on the Erie canal, although the scheme named was devised more than a dozen years ago and it is a question, since so little has been done in the direction contemplated by it, whether it would not be advisable to begin at once a more radical improvement of the Erie canal by making such an enlargement as would prove adequate for the needs of commerce for a century to come.

In my report of last year I briefly outlined a proposed enlarged canal capable of bearing barges 250 feet in length by twenty-five feet breadth of beam, with ten feet draught of water and of the lowest possible height above water so that the greater part of the bridges crossing it could be fixed structures instead of movable ones.

This canal would have a general width of 100 feet at the water line, a depth of twelve feet (except at such points as over aqueducts or other expensive structures where economy would suggest the reduction of a foot in depth), and have vertical or battered side walls except in localities of existing wide waters where economy of width would be a minor consideration. The general width proposed might be materially reduced for short distances through the cities and towns along its route, over aqueducts, through expensive rock cuts, etc., and since no towing path would be required there are many miles of cuttings where the removal

of that alone would give nearly the entire width required. The route proposed for this canal would generally follow the present alignment of the Erie canal except for short distances where it would be wise to make detours in order to obtain economy of construction and better alignment. The vessels designed for use on there might be built for convenience in handling in two sections and be towed in fleets by means of similar boats fitted with twin screws and propelled by steam or electric power. Vessels of such size as those described could navigate the proposed canal with the greatest degree of economy, would have a carrying capacity of at least 50,000 bushels, and could carry wheat at a profit from Buffalo to New York for two cents per bushel. When grain can be carried through our canals at a profit from Lake Erie to the metropolis at the foregoing rate, all questions relative to the commercial supremacy of the Empire State will be set at rest. Without a careful survey it is impossible to determine the exact route of the proposed canal but it may be approximately stated to be as follows: Beginning at the port of Buffalo the alignment would follow very closely the present line of the canal, the depth to be secured to Lockport by excavating from the bottom of the canal. Through the deep rock cut near Lockport the only widening required for the present would be that obtained by cutting out the present towing-path. At Lockport a pair of hydraulic lifts or two pairs of high lift locks would be substituted for the five combined locks now there. From Lockport eastward to Rochester, the present alignment would be quite closely followed except that considerable detours would probably be made to avoid those rather bold but unnecessary bits of engineering known as the high banks at several points west of this last-named place and that east of it at Irondequoit. Continuing eastward from Rochester, making a slight change of alignment near Newark, substituting two locks for the three now there, no special engineering difficulties would be encountered until the Montezuma aqueduct over the Seneca river is reached where one of two plans must be adopted, viz., either to construct at a very large expense an enlarged aqueduct or drop down by means of a single lock to the level of the Seneca river crossing

at the river level, and locking up to the proper elevation on the opposite side, meanwhile retaining the present aqueduct as a feeder to carry water to the remainder of the level eastward.

As the present aqueduct was constructed over a bed of peat upon sunken cribs of only sufficient bearing capacity to sustain with safety its present weight, it is exceedingly doubtful if any great increase of weight such as would be necessary in making the required enlargement could be had without endangering the stability of the whole structure. The waste of water caused by locking boats down to the river level and up again while considerable, would not be a serious matter since this is the last level fed from the westward. The cost of the two locks required would be a trifle compared to that of a new aqueduct, but it goes without saying that the building of a new aqueduct is by far the better plan and the one that would eventually be adopted.

From Port Byron to Jordan the present line of the canal would be followed quite closely, but it is probable that it would be better to make a detour at the Jordan level so as to drop it down to the elevation of that at Port Byron. The rather limited water supply on the Jordan level makes it extremely desirable that the proposed change be made so that the reliable water supply of the western slopes of the Adirondacks can pass unimpeded to meet the waters of Lake Erie on the Montezuma level. From Syracuse eastward to Rotterdam, the present alignment would be quite closely adhered to, with the probable substitution of a hydraulic lift or one lock for the three upper locks at Little Falls. From Rotterdam eastward we have presented to us the choice of two routes, the one following the present line of canal, the other crossing the Mohawk on a new aqueduct to be built at that place and making a short cut across country, striking the present canal line at the eastern terminus of the upper Mohawk aqueduct.

Although no survey has been made of this latter route, my knowledge of the topography of that part of the country convinces me that it is perfectly practicable, and the cost of building the new aqueduct would not much exceed that of an enlargement of the old one. Should the present alignment be followed from Rotterdam

eastward to the upper Mohawk aqueduct, a careful survey and examination should be made of the south side of the Mohawk river from the upper to the lower aqueduct to determine the feasibility of building the proposed canal on that side of the river between the points named, thus obviating the necessity for an enlargement of these costly structures. Again following the present line from the upper aqueduct eastward across the Mohawk river on an enlargement of the Crescent or lower Mohawk aqueduct, our route would continue on the same general line to the Hudson river at West Troy or at Albany, where our canal would strike the new twelve-foot channel now being excavated in that river by the United States government. Four or possibly three pairs of hydraulic lifts could be substituted for the sixteen locks now in use on the Cohoes ascent, but should it be deemed advisable to continue the use of locks, a less number, having increased height of lift, might be used. In all cases on the proposed canal where locks are to be retained single locks should be built from the material taken from the old, and be so located that another tier could be built at some future time. As a matter of course all hydraulic lifts would be built in pairs, so that in use one would counterweight the other. Here we have on paper a canal with practically unlimited capacity, and the question arises will the people of our State furnish the necessary funds for its construction. The enterprise and public spirit of our citizens are proverbial, and it is a reflection upon their intelligence and business qualifications to claim that a people who will see expended, without protest, $20,000,000 on a single building, however grand and useful it may be, would refuse to expend at least a like sum for the improvement of our great waterways upon which the continued commercial prosperity of our State so largely depends. As to the probable cost of the enlargement on the lines herein laid down no definite estimate can be given without a careful survey, but with the use of the many mechanical aids at our hands, the steam drill, high explosives, steam excavators, and the many modern appliances for the rapid and economical handling of material, and, in view of the fact, that so large an amount of material in the old could be used in new structures,

the cost should not exceed $25,000,000. Having in mind the vast importance of the project herein delineated, I would most respectfully renew the recommendation made by me in a former report, that your honorable body authorize the executive to appoint a commission, whose duty it shall be to examine into this matter and to report its conclusions to the Legislature at the earliest time practicable.

Electricity as a Motive Power.

The subject of devising means for adapting electricity to use as a motive power on the canals is one which has, for the past year, largely engaged the attention of electricians and of others interested in reducing the cost and increasing the speed of canal navigation. Two systems of applying the electric power to the wheel of a propeller have been suggested — one, by storage batteries, placed in each propelling boat, and the other by trolley wires, carrying the current along the whole length of the canal, and feeding the electric fluid into motors placed in each such boat. As yet, science has not developed a successful storage battery, and the present prospect is that, if the efforts now being made are to meet with success, it will be by means of the trolley system. Within the past few years this system has been brought to so great a degree of perfection, as applied to street-car traffic, that now the electric car has almost entirely supplanted the old horse-car just as the steamboat has supplanted the horse-boat on the canals. While there are some minor difficulties to be overcome in the application of the trolley system to canal navigation, such as the holding of the boat when not in motion, or moving at a low rate of speed, and exposed to the action of high winds, in proper position to secure easy contact of the trolley with the wire carrying the current, the devising of means by which boats traveling in the same direction, at different rates, can pass each other, or by which boats can be brought up to or taken away from a dock, etc., I think none of these difficulties are so serious but that they will not be surmounted by the inventive genius of our people. The main question is a purely economic one, and the success or failure of investigations now in progress will be decided by the answer to the question: "Can the electric power be furnished to each propeller at less cost than that of steam power ?"

Two trolley methods have been suggested by which to reach the desired end — one by establishing power-houses along the line of the canal at such distances apart as may be found economical or desirable, and in these power-houses by the use of fuel to generate steam, transform this steam power into electric power, transmit this electric power by wire between these power-houses and by means of a trolley wire communicate it to motors in canal boats acting to turn a screw wheel. The other is the generating of electricity in large quantities by means of water power at some point or points where nature has provided the means and then transmitting the current over long distances by wire. The first of these methods is the one usually adopted by electric railways, but to my mind there is grave doubt as to whether it can be adapted to canal navigation at a cost which would allow it to compete with the present methods of steam navigation.

Through the courtesy of the officers of the Albany electric Railway Company, I have been furnished with the following data on this subject as the result of the actual experience of their road. They have in their power-house two compound Corliss engines of recent make of 600 horse-power each, from which they obtain one indicated horse-power per hour with the consumption of a little less than 2.5 pounds of coal. It might be possible with the conditions obtaining on the canal by using the best and most modern machinery to obtain one indicated horse-power per hour for two pounds of coal, but we can surely not hope to get below this limit. They find that in passing the power from the steam chest to the dynamo they lose eight per cent in passing through the dynamo and into wire at power-house they lose ten per cent, in transmitting current to Troy, a distance of eight miles, they lost fifteen per cent; and in passing it through motors to point of application on axle of car, they lose from thirty to forty per cent, so that (if canal experience should be similar to that of this railway), if we succeed in developing in engine cylinder one horse-power per hour with two pounds of coal, we would have a consumption of coal to obtain one horse-power per hour applied at a distance of eight miles from power-house of from four and one-half to four and three-fourths pounds.

This is probably considerably in excess of the amount of coal consumed by canal steamers to say nothing of difference in first cost of plant required. The conclusions arrived at by the Hon. John Bogart, late State Engineer and Surveyor, in his very instructive paper on steam on canals, to be found in the report for 1891, substantiates this statement.

The other method, that of generating electricity in large quantities at points where large water powers exist and thence transmitting it by wire over long distances, is the one which to my mind contains the greatest promise of success. In order, however, to economically transmit the large quantities required the current in the feed wire must pass at a very high voltage, and in order to secure safety, that in the trolley wire must pass at a low voltage. While it is perfectly feasible to transform an alternating current from a high to a low and from a low to a high voltage unfortunately no means have yet been found for thus dealing with a continuous current, and it is the continuous current alone that has as yet been successfully applied to the operation of motors.

Upon the solution of one or the other of these difficulties and upon the devising of means to more economically and perfectly insulate the feed wire, depends in my opinion the success or failure of the efforts now being made in this direction.

As bearing upon the question of the possibility of obtaining a sufficient supply of electricity for canal purposes at economical rates, I would state that I am advised that there has been now practically developed by a corporation operating at Niagara Falls, a water power yielding on the American side 200,000 horse power, and on the Canadian side 120,000 horse power, which they state could be disposed of at a profit to the corporation at the price of four dollars per horse power per annum, measured on wires at Niagara Falls, if sold in its entirety. In considering this question it must be remembered that the steamboat has and must continue to hold an advantage over a trolley propelled electrical boat, in that she is independent of outside aid in navigating the Hudson river, and the harbors at Buffalo and New York.

I commend this subject to your careful consideration, and hope that, in view of the fact that the advantages to be gained by the successful solution of the problems involved are so manifest, you will adopt the necessary legislation to secure the continuance of investigations and experiments required to reach a conclusion.

Summary of Recommendation for Canal Improvements.

Having given in the foregoing pages my views in detail as to canal improvements which, in my opinion, should be authorized during the ensuing session of the Legislature, I would summarize them as follows:

For lengthening lock No. 20, $38,000; for building new canal at Newark and substituting two locks for three, $300,000; for improving Erie basin and Black Rock harbor, $30,000; for building wall at Schenectady, $35,000; for improvement of the Champlain canal from $250,000 to $300,000; for rebuilding ten locks on the Black River canal, $160,000; or else enact a law providing for the abandonment of this canal as a navigable channel and appropriate sufficient money, of which I have not made an estimate, for continuing its use as a feeder; for improving the prism of the Oswego canal and repairs to Battle Island dam and Phoenix dam, $50,000; for survey of the Erie canal, $25,000; for continuing electrical experiments, such a sum as the results of the tests to be shortly held in Rochester may show to be advisable for the expeditious determination of the questions involved; for repairing bench walls on the middle division, $50,000.

Inspection of Highway Bridges.

I would again call your attention to the imperfections of that portion of chapter 568, Laws of 1890, relating to inspection of iron highway bridges by this department. While I believe that the principles sought to be enforced by this law, viz., the protection of town officers and the traveling public from the machinations of unscrupulous iron bridge manufacturers by an inspection of proposed new structures by competent State authority are wise and beneficent, the details of the statute are such as to render the execution of its provisions impracticable, and, conse-

quently, the law, as it now stands, is a dead letter. Either this law should be so amended as to give to the State Engineer and Surveyor jurisdiction, "ab initio," over the building of such bridges as are referred to therein by providing that prior to the execution of any contract, plans and specifications for such proposed new structures should be submitted to him for his examination, approval, rejection or amendment, and also that provision be made for the payment, by either town authorities, contractors or the State, of the necessary expenses of the required examination and inspection, or the law should be repealed. Your attention is called to my remarks on this subject, on page 28 of my report to the Legislature for the year ending September 30, 1892.

The Quarantine Establishment.

Under provisions of chapter 270, Laws of 1888, the State Engineer and Surveyor is ex-officio a member of a board of commissioners having charge of repairs and improvements of the quarantine establishment of the port of New York, and much of my time has been taken up with matters connected therewith.

Early in the present year I caused a survey to be made, looking to an extension of Hoffman island, and plans and estimates for the same were prepared, but an appropriation for this work ($260,000) failed to receive the Governor's approval. There was appropriated, however, a sum of $144,950, including $35,000 for care and maintenance, which was devoted to making improvements as follows:

On Hoffman's island.— Erecting a three-story frame building for use of detained emigrants; erecting a bath-house and registration office; erecting two-story dock-shed for baggage; filling in slip and extending dock; purchasing and erecting new boilers; making alterations to disinfecting apparatus and numerous other repairs.

On Swinburne island.— Purchasing and erecting new boilers, and building new chimney and putting in new heating apparatus; erecting new ice-house; putting up coal hoists and building new disinfecting-chest, and making many repairs to the buildings, etc.

At the boarding station, on Staten island.— Erecting new boat-house and offices, and making needed repairs.

A new boat for the health officer has been completed during the year, at a cost of $25,000, which sum was appropriated by the Legislature of 1892; and numerous repairs, including a new boiler for one of them, have been made to the other vessels belonging to this establishment.

The vessel built for the use of the health officer is a particularly fine and speedy one, and is a credit alike to her builders and the State to which she belongs.

It is very desirable that Hoffman island be extended as proposed by plans and estimates made by this department, and I would therefore respectfully recommend that a sum sufficient for that purpose be appropriated at the coming session of the Legislature.

I would also renew the recommendation made in my last report that a sum sufficient to complete the riprapping at the lower quarantine island be appropriated as speedily as possible, for the reason that great damage is being done to unprotected portions of this island by action of the waves during every severe storm.

Niagara Falls Reservation.

The State Engineer and Surveyor is required by the various acts appropriating moneys for the improvement of the State reservation at Niagara Falls to make all necessary plans, maps and estimates when requested to so by the board of reservation commissioners.

Under provision of these acts this department has been called upon on various occasions, and has made several surveys and a careful expert examination of all State bridges on the reservation.

In January last, in response to a resolution of the board of reservation commissioners, I reported to that body a scheme for constructing a roadway from the falls to Lake Ontario, but as no money was appropriated for the purpose no further action has been taken in the premises.

Exhibit at the World's Columbian Exposition.

In response to an invitation from the chief executive officer of the New York board of managers at the Chicago Exposition, there was prepared and put in place in the transportation build-

ing by this department a highly interesting exhibit relating to the canal system of our State. The principal factor of this exhibit was a large relief map showing the entire canal system with its feeders and is one of the largest maps of its kind ever constructed. This map was the work of Mr. T. C. Leutze of this department and is a most creditable production. Other portions of this exhibit were a large wall map, thirty feet by twelve feet, showing the water routes from Duluth and Chicago to New York city; a map twelve feet square showing the railroad system of our State; two beautiful models exhibiting in full detail the first canal lock constructed in this country and one of the existing lengthened double locks on the Erie canal; several fine photographs, forty by seventy inches in size, showing canal and river tows and various other items of interest relative to our canal system.

This exhibit, including a handsome railing and a magnificent portal, cost about $8,000, but in view of the interest excited and the numerous favorable comments from the public press, it is believed that the sum was well expended and will be productive of lasting benefit to the State. This department also constructed for exhibition in the Liberal Arts Building, a handsome relief map showing Lake George and the grand topography surrounding it.

Municipal Consolidation Inquiry.

As an ex-officio member of a commission created by chapter 311, Laws of 1890, for the purpose hereinafter named, I have given considerable time and study to the question of the advisability of consolidating into one grand municipality the several cities and towns located on or about New York harbor, and as a result of such study I am most firmly convinced that consolidation is most desirable and will prove beneficial to all the interests involved. It is a manifest injustice to longer deny such legislative action as would give the inhabitants of the several cities and towns interested, the right to express by ballot their approval or disapproval of the scheme proposed, and I would therefore respectfully renew the recommendations made in my last report that "such legislation may be had as will enable the citi-

zens of the several municipalities interested to express severally, through the medium of the ballot, their views on this important subject in the freest and fullest manner." A bill having in view the subject matter covered by this recommendation will be presented to your honorable body at the coming session, and it is hoped it will receive therefrom favorable consideration.

Engineering Work at the State Capitol, State Prisons, etc.

As has been the custom for several years past, this department has been called upon for professional advice and assistance at the State Capitol, State hospitals and State prisons. Much time and attention has been given to the work at the places named and one or more of the attaches of this department have been engaged during a greater part of the past year upon work connected with the public buildings. This has been especially the case at Clinton prison, where a member of the office staff has ben constantly engaged since the beginning of May of the present year. The work at this latter place, in addition to a large amount of new macadam road built, has consisted of laying water pipes, erecting hydrants and preparing for the building of a new reservoir for fire purposes.

Improvement of the Hudson River.

From the year 1797 up to the present time there has been expended by the State for dredging and otherwise improving that portion of the Hudson river between Troy and Coxsackie the sum of $1,520,429, and when the vast importance of this artery of commerce is considered it is not an exaggeration to say that probably no like sum ever expended by this State has been productive of greater indirect benefit. The greater part of the foregoing named expenditures was rendered necessary in consequence of the failure on the part of the general government to give to this great commercial highway the care and attention its importance demanded, but this charge of neglect can no longer be maintained, since the United States authorities are now busily engaged in vigorously prosecuting the work of a radical improvement of the river channel.

It is not likely that the State will again be called upon to make any expenditures other than those necessary to keep in repair existing State dykes or to improve such lateral channels as may be deemed advisable to promote the interests of commerce in certain localities and with this idea in view I do not recommend for the present at least, any further appropriation for work on the Hudson river. Chapter 85, of the Laws of 1893, appropriated $16,000 for the purpose of dredging certain lateral channels and repairing State dykes, and a detailed statement of the manner in which this sum has been expended will be found in the annexed report of Assistant Engineer Charles G. Witbeck, who has been in charge of this work during the past season, to which report your attention is called. The vast importance of the Hudson river to the State will be appreciated when it is remembered that its annual traffic is more than double that of the Mississippi, Missouri and Ohio rivers combined, in addition to its being the outlet of the entire canal system of our State, and while it is a subject for congratulation that the State has at last been relieved of the burden of its improvement, no one, I think, will regret the expenditure made during the past century to maintain its efficiency.

Road Improvement at Clinton Prison.

At no time in the history of this State has the subject of the improvement of our common roads received more attention than during the past half dozen years, and the present year has been no exception to the few preceding it in the matter of interest manifested by the public on this very important subject. In my last report I took occasion to say that nothing could be expected in the way of permanent road improvement until such legislation shall be enacted as will radically change the existing system of road construction and maintenance, and that no good results could be obtained or expected until such time as this important subject should receive proper legislative consideration and action. To this end several bills were introduced in the last Legislature, two of which were enacted into laws. One of these, that known as the county option law, providing for county supervision of highways, can not but be productive of

good results, provided the local authorities see fit to avail themselves of its provisions, but it is a matter of regret that up to the present time very few counties have given the subject serious attention or taken any action looking towards making their common roads a county charge.

The other law mentioned, chapter 312, Laws of 1893, provided for the employment of convicts of Clinton prison on the improvement of roads within twenty miles of Dannemora and likewise provided that plans, grades, etc., should be provided and established by the State Engineer and Surveyor. Acting under the latter named provision of this act, I have given much of my time and personal attention to this matter and since the beginning of May last have had a member of the office staff constantly employed at the prison establishing grades and supervising road construction.

The greater portion of the road constructed this year has, by reason of its location in the village of Dannemora, been of rather an expensive nature, necessitating the construction of a roadway varying in width from thirty-three feet to forty feet, and in thickness of road metal from ten inches to twenty inches at the center, and from six inches to nine inches at the gutter. Three thousand four hundred lineal feet of road have been built as just described, 5,000 lineal feet of four-inch stone curbing set, 5,950 lineal feet of cobble stone gutter built, 3,425 lineal feet of gravel walk, twelve feet in width, and 625 lineal feet, six feet wide, have been put down, and 727 lineal feet of four-foot flagging laid.

In addition to the road completed there have been prepared to receive the road metal 4,800 lineal feet of road, necessitating the excavation of 9,000 cubic yards of earth and the making of 2,000 cubic yards of embankment, and 2,833 lineal feet of dilapidated dirt roads have been repaired in a thorough and substantial manner with selected surplus material excavated in constructing the macadam road. The quantity of crushed stone used in the construction of the 3,400 feet of completed road would have been sufficient to build 7,000 lineal feet of macadam road, having a width of eighteen feet, with a thickness of road metal equal to ten inches at the center and six inches at the gutter, and the

labor expended on the completed road, the repaired road and that prepared to receive crushed stone would have sufficed to build more than two miles of such highway as that just described. When it is remembered that the entire plant, including stone crusher and roller was purchased and all other expenses were paid out of the appropriation of $10,000, and that but a limited number of convicts could be employed, it must be said that the showing is a good one.

The roads immediately adjacent to the prison having been built this year, that contemplated for the coming year if an appropriation be had is of a description similar to the common roads of our State and if built will be an object lesson to the public in the matter of highway construction and in view of this fact it is respectfully recommended that a sum equal to that appropriated by the last Legislature be granted by the present one.

The Land Office.

By provision of the State Constitution, the State Engineer and Surveyor is a member of the Board of Commissioners of the Land Office and as such member is charged with the examination of maps and papers pertaining to applications for grants of lands under water, sale of State lands, disputed town or county boundaries and numerous other duties. During the present year there have been received and disposed of fifty-three applications for grants of land under water, thirty-seven of which were for beneficial enjoyment and the balance (sixteen) were for purposes of commerce. The lands applied for were situated in eleven different counties of the State and in many cases personal examinations have been made to determine whether or not these lands could be granted without detriment to the public. In a number of instances the applications for grants have been contested and several hearings, involving much additional labor, have been held in order to settle the questions in dispute. Twenty-one public sales of lands have been held during the year, at which sales thirty-five parcels of land have been disposed of and the amount realized was $4,813.50 in addition to amounts received for sales of lands under water, aggregating the sum of $23,643.

Survey of State Lands in Catskill Mountains.

By provisions of chapter 726 of the Laws of 1893, an appropriation of $1,000 was made for expenses of examination of title and survey of lands owned by the State on Slide Mountain in Ulster county, and other parts of the Catskills, to be expended by the State Engineer and Surveyor.

In carrying out the provisions of this statute, I employed Mr. J. Newton Fiero, attorney-at-law, of Albany, to make the necessary examination of title and detailed Mr. L. C. Fletcher to make the necessary surveys. I append hereto the reports made to me by each of these gentlemen as to results obtained by them in their examinations and invite your attention to the recommendations they make as to the proper course to be pursued in the premises. As the determination of these boundary lines is a matter of such great difficulty and expense and as the ex parte determination of lines of these State lands by the State Engineer would not be conclusive of the rights of adjacent owners and might be provocative of tedious litigation, I have suspended further operations here and would advise either that the course recommended by Messrs. Fiero and Fletcher be pursued or else an effort be made to secure mutual agreements between parties in interest locating and defining these lines.

In the prosecution of this work,I have expended the sum of $852.35, leaving in the treasury an unexpended balance of $147.65.

Saranac River Improvement.

Chapter 141, Laws of 1893, appropriated the sum of $5,000 for the purpose of removing , for the protection of the public health, decaying vegetable matter from the Saranac river in and adjacent to the village of Saranac Lake and under provisions of this act surveys and plans were made by this department and the work of improvement so far as the sum appropriated would permit has been performed in a manner very satisfactory to the people living in that vicinity. Estimates of the cost per acre of this work could not easily be made for which reason the work was not let by contract but was done by the Superintendent of Public Works, and it is a matter of congratulation, that so very

large a quantity of work of a very difficult character should have been accomplished for so small an appropriation. The village of Saranac Lake is a sanitarium of very great value to the State at large, and as its usefulness as such was imperilled by the nuisance heretofore existing in the river at that place, the work done under provision of the foregoing named law, while having the appearance of merely local benefit has been productive of much public good. There remains considerable more work of the same character as that done the past season in order to complete the improvements as provided by plans approved by me and I would respectfully recommend that another small sum be appropriated for this purpose.

Cement Tests.

For the past eight years all cement intended for use in the construction of any masonry built by the State has been subjected to a thorough and careful test made with approved apparatus and all cement failing to meet certain standard requirements has been promptly rejected. During the past year, 2,047 samples, representing 20,500 barrels, have been taken, and from each sample at least three separate tests have been made resulting in the rejection of about 800 barrels and the acceptance of the balance offered for use on canal work. It is highly important that the policy of testing all cement intended for use on State work should be continued as a necessary safeguard against the use of an inferior article which might prove injurious to the stability of the structure into which it enters as a component part. The publication of the results of a series of long-time tests made under various circumstances and extending over a period of several years, will probably be made by this department and incorporated in one of its reports in the course of a year or two.

The Shinnecock Canal.

This year has witnessed the permanent opening of the channel connecting Shinnecock and Peconic bays, and while more money will be required to protect the sandy banks from erosion, it is believed that there will be no occasion to again close this canal and that parties interested will be enabled to reap the benefits

for which this work was designed. For a brief history of this canal I will quote the following from my last annual report:

"The original design of this channel was to furnish from Peconic bay a supply of salt water to Shinnecock bay, which last named had become land-locked by reason of the closing of the inlets connecting it with the ocean, whereby the shell fisheries and other fishing interests had become worthless."

"Several attempts had been made to open and maintain a channel from Shinnecock bay to the ocean on the south, which had thus far resulted in failures, and as a consequence a large number of fishing industries were entirely destroyed and a whole community were obliged to seek a means of livelihood in other pursuits."

To restore the fisheries thus destroyed this canal was designed and work on it begun in the year 1888, and up to this time there has been expended in the prosecution of this work the sum of $118,000, and the result has been a complete restoration of the oyster industry, as the taking from Shinnecock bay in the year 1892 of $100,000 worth of oysters of excellent quality would seem to prove beyond a question. The entire length of this canal was excavated through sand of a very light and unstable nature, and in order to secure permanency to this channel, it will probably be necessary to protect its banks by piling for fully one-half of its whole length. In view of the vast benefits likely to be derived from continuing the usefulness of this canal, I would respectfully recommend that a sum sufficient to protect at least a portion of this channel as herein proposed, be appropriated by the Legislature at its coming session.

Determination of Disputed Boundary Line Between the Towns of Shandaken and Denning.

An application was made to this department on August 21, 1891, by the supervisors of the towns of Shandaken and Denning, in the county of Ulster, to determine, as provided by law, a dispute which had arisen between these town officers concerning the proper location of the division line between the two towns.

The boundary line of these towns is fixed by chapter 73, of the Laws of 1849, setting apart as a separate town, to be known as

the town of Denning, all that part of the town of Shandaken in the county of Ulster, lying within the boundaries as described in the act. The act provides as to the line of the new town, after giving other courses and boundaries: "Thence along the line of the towns of Olive and Shandaken to the center of Great Lot 7 in the Hardenbergh patent, thence along a line as run by William Cockburn in the year 1784, north fifty-one degrees forty minutes west about fourteen and one-half miles to the northeast corner of Darling's survey of fifty-five lots."

It was readily ascertained that in 1784 William Cockburn ran a line from the point indicated as the center of Great Lot No. 7, along the line of Olive and Shandaken, to the Delaware river. Such line was marked and monumented. It is not, however, precisely upon the course fifty-one degrees and forty minutes, and as prolonged runs a short distance northerly of the corner of Darling's survey of fifty-five lots, so called. No other line appears to have been run or marked at this point, although it is claimed that Cockburn afterwards started from monument No. 10, and ran a line for a short distance easterly, other than the line marked through by him. This, however, did not extend to the points in controversy, and the question to be determined is, whether the description in the statute as to the course and location shall control the line actually marked upon the ground and monumented. It is well settled that, in such case, the actual location of the line on the ground by marking is to control. (Jackson v. Freer, 17 Johns., 28; Van Wyck v. Wright, 18 Cow., 157; Jackson v. Tallmadge, 4 Cow., 450.)

The matter is further complicated by the fact that at least three lines have been marked by different persons and surveyors at different times, as the true line.

In conformity with these views, I will shortly file in the office of the Secretary of State my determination that the line run by Cockburn in 1784, and which I have had traced and marked upon the ground, is the true division line between said towns.

Examination of State Boundaries.

Chapter 421 of the Laws of 1887 directs the State Engineer and Surveyor to make a triennial examination of monuments upon the State boundary, and to make a detailed report thereon to

the Legislature, and if any monument is found to be displaced or removed, he is authorized, in co-operation with persons duly authorized by the adjoining State, to restore and replace the same, etc.

In order to carry out the intentions of this law, I addressed a communication to the Secretary of State of the States of Connecticut, Massachusetts and Vermont, the Secretary of Internal Affairs of the State of Pennsylvania, the Secretary of the Riparian Commission of the State of New Jersey, and the Surveyor-General of the Dominion of Canada, calling their attention to the provisions of this law, and inviting their co-operation in the matter. I succeeded in obtaining co-operation with the States of New Jersey and Pennsylvania, and detailed Mr. C. H. Flanagan, C. E., as my representative in the matter. The representative of the State of New Jersey was Mr. H. S. Sprouls, C. E., and of the State of Pennsylvania, Mr. Allan W. Corson, C. E. These gentlemen have made a thorough examination of the monuments marking these two boundary lines; have replaced some monuments and restored others which had been mutilated, defaced or misplaced, and joint reports of their operations in detail will be found in one of the appendices to this report.

With reference to the Connecticut line, the Secretary of State of this State, under date of June 27, 1893, writes me:

STATE OF CONNECTICUT, SECRETARY'S OFFICE,
HARTFORD, *June* 27, 1893.

Hon. MARTIN SCHENCK :

Dear Sir.— Replying to your favor of June twenty-three, I beg to say that we have in this State no person with permanent authority in the matter of State boundary lines. Only in cases that arise as to the boundary lines between States has the general assembly of this State appointed commissioners for each special purpose and occasion, so that we have no general statute or person to decide or direct in the matter suggested by you.

I believe it to be eminently proper upon reading your law that you yourself make special examination of the monuments upon the boundary line, and upon finding that any of them are displaced, defaced or improperly located, that you will thereupon

apprise this State through this office of such state of facts. This office will thereupon take pleasure in presenting such facts at the next session of the Legislature for proper action in the premises.

Very respectfully yours.

(Signed.) JOHN L. PHELAN.

I regret that I have been unable, as suggested during this year (lack of time alone preventing it), to make an examination of this line, and I hope that Mr. Phelan's suggestion will be carried out next year.

With reference to the Vermont line I received the following communication:

BRATTLEBORO, VT., *July* 27, 1893.

Hon. MARTIN SCHENCK:

Dear Sir.— In reply to yours of the twenty-fourth inst., have to say that our commission are not empowered to act in any matter having reference to the boundary line between New York and Vermont, but only as follows: To act in conjunction with a similar commission from New Hampshire and Massachusetts, in re-establishing the boundary line corner on the north line of Massachusetts, being the southwest corner of New Hampshire and the southeast corner of Vermont. Also to perambulate to the line between Vermont and Massachusetts, and re-establish monuments through to the east line of New York, which is supposed to be the southwest corner of the State of Vermont and the northwest corner of the State of Massachusetts. We are to re-erect monuments already down and erect as many additional ones as in our judgment is necessary. We can establish no new line, but simply erect monuments on the line heretofore established between the States. Under our authority to act the only interest New York has, is to see to it that this corner monument on the east line of your State is correctly re-established. The commissioners of these three States have a meeting at Young's Hotel, in Boston, to-morrow, the twenty-eighth inst., to agree upon a plan of work. Should you desire to be notified when we will be at the New York line we will give you the notice.

Yours respectfully.

(Signed) KITTEREDGE HASKINS.

I therefore directed Mr. Flanagan to make alone, upon the part of this State, an examination of this line, and his report thereon will be found appended hereto.

As will be seen from what he says the marking of this line is in a most deplorable condition and there is little use of making further examinations thereon until by the co-operative action of the two States in interest, power shall be given for surveying, fixing and monumenting the same.

Regarding Mr. Haskins' suggestion that it would be well to have a representative of this State present when the commissioners on the part of the States of Massachusetts and Vermont settled upon the proper location of the point at which the easterly boundary line of New York intersects the southerly boundary line of Vermont, I intrusted this duty to Mr. Flanagan and he met upon the ground Mr. Nelson Spofford, of the State of Massachusetts, and a representative of the State of Vermont. A unanimous agreement was had between them as to the location of this stone.

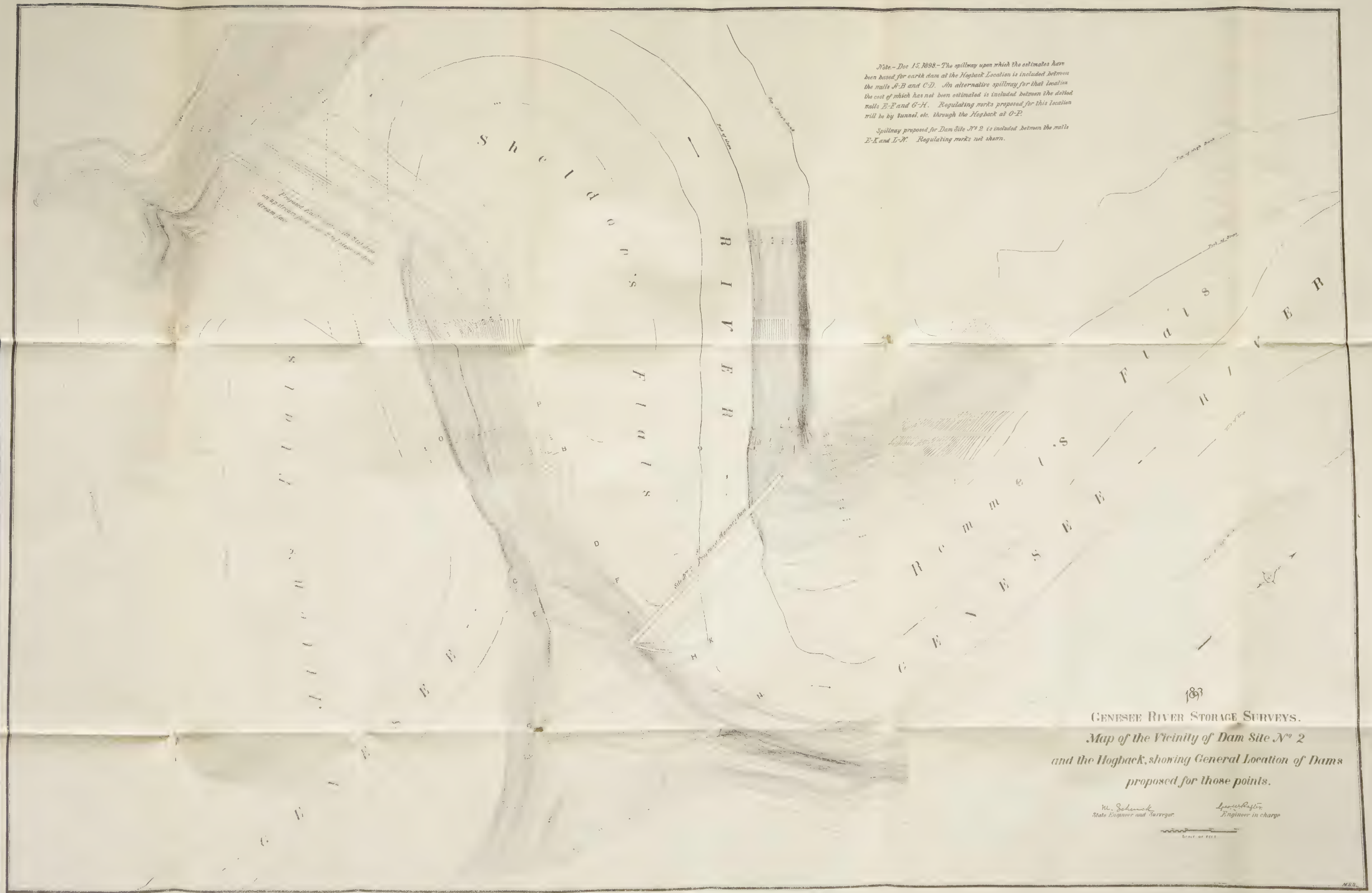
No co-operation was obtained with the State of Massachusetts. By reference to the report of the State Engineer and Surveyor for the year ending September 30, 1890, page 383, it will appear that the marking of this line is in a very unsatisfactory condition and that no material good can come from its examination until power be granted by joint action between the two States to survey and determine this line. I have, therefore, with the exception of inspecting the New York-Vermont-Massachusetts corner-stone, as heretofore referred to, taken no action here this year.

Concerning the line between this State and the Dominion of Canada, as it is, as will appear from the report of 1890 heretofore referred to, in good condition, and as my invitation to the Canadian authorities to co-operate in the examination of this line was not accepted, and as the jurisdiction over this line is national rather than State, I have made no examination here this year. In making the examination of the Pennsylvania and New Jersey boundaries I have secured photographs of ninety-

five per cent of the monuments marking the same, which have been filed in this department and will be of great use in any examination which may be made hereafter.

Genesee River Storage.

One of the provisions of chapter 726, Laws of 1893, makes an appropriation of $10,000 to be expended by the State Engineer and Surveyor for determining the advisability and desirability of carrying out the plan recommended by the commissioners, Evan Thomas, John Bogart and Chas. McLouth, in their report to the Legislature of February 2, 1893, on the subject of improving the supply of water from the Genesee river to the Erie canal, and for making such maps, plans, estimates and recommendations in connection therewith as he may deem desirable. In carrying out the purposes of this law I organized an engineering party, under the charge of Mr. Geo. W. Rafter, C. E., and entered upon a critical and extensive examination of the conditions existing here. I have also held frequent consultations on the engineering questions involved with the Hon. Elnathan Sweet, C. E., and submit herewith the reports handed me by these two gentlemen. As the questions concerning the flow of the stream, the ponc age to be obtained by dams, of various heights at different sites, and the amount of land to be overflowed by the proposed dams, have been so ably and exhaustively treated by my predecessor, John Bogart, in his report to the Legislature for the year ending September 30, 1890, and the appendices thereto, I have considered it useless to investigate them further, but accepting his conclusions on these questions, have confined my examination to local conditions affecting the construction of dams at the three sites herein referred to, especially as to the character of the foundations, the means of transportation for the large quantity of material entering into a work of such magnitude, the probable source from which the needed stone, sand, cement, clay, etc., can be drawn, the proper dimensions and locations of dams in the proximity of sites Nos. 1 and 2, referred to in the report of the State Engineer and Surveyor for the year 1890, and the report of the commission of 1893, and also of a dam on a new location, designated herein as the "hog back" location (but


Note.– Dec 15, 1898– The spillway upon which the estimates have been based for earth dam at the Hogback Location is included between the rails A-B and C-D. An alternative spillway for that location the cost of which has not been estimated is included between the dotted rails E-F and G-H. Regulating works proposed for this location will be by tunnel, etc. through the Hogback at O-P.
Spillway proposed for Dam Site No 2 is included between the rails E-K and L-N. Regulating works not shown.
Shelridge
Falls
Rochester
1893
Genesee River Storage Surveys.
Map of the Vicinity of Dam Site No 2
and the Hogback, showing General Location of Dams
proposed for those points.
M. Schenck
State Engineer and Surveyor.
Engineer in charge

has not been previously considered), with their spillways, lating works, etc. I have also made preliminary study of different forms of dams which I consider may safely be ommended for construction at the different sites proposed: first, a dam fifty-eight feet high; second, a dam fifty-eight high, but so designed as to be capable of being increased to height of 130 feet; third, a dam 130 feet high, built conously; and fourth, raising the fifty-eight feet dam (No. 2) to a -eet dam (No. 3), and herewith submit tracings showing these erent plans.

n site No. 1 it is proposed to erect a stone dam having a spill- over its top. As it is desirable to reduce to a minimum, con- nt with proper economical considerations, the depth of the et of water passing over it in times of excessive flow, I do not k the spillway should be of less length than 400 feet . the face work of this portion of the structure should be built anite. The remainder of the exposed portion of dam would bably best be built of Pennsylvania sandstone, while its back- could be composed of stone found at Portage, Nunda or sibly even nearer the site of proposed work. In order, however, protect the base of the structure from the eroding action of water, which in time of flood will pass over its crest, it will necessary to obtain a water cushion, immediately below the ucture, not less than thirty feet deep. This can be accom- ed by the building of a subsidiary dam somewhere between posed site of structure and Mt. Morris, to a height of fifteen sixteen feet above present surface of river. No apron or other tection would be required for this subsidiary dam, as it would founded on rock at an elevation of fifteen feet below river would not be eroded by a water fall of sixteen feet. other advantage gained by this subsidiary dam is the increased dage it affords. In this structure, gate-house and regulating ks would necessarily become a portion of the dam itself.

t site No. 2 it is also proposed to erect a masonry dam, but the topographic conditions admit of the construction for the feet dam of a spillway 400 feet wide, entirely independent of dam itself, cut out of the shale rock which forms the cliff and

protected by stone side-walls and concrete bottom. As, however, the foot of this spillway would be located something less than 100 feet from the toe of the dam, it would be necessary to provide here as at site No. 1 a thirty-feet water-cushion. In this construction only a small amount of granite would be needed for gate-house and trimmings. Otherwise materials required will be similar to those needed at No. 1. For a fifty-eight-feet dam here, if the water cushion, referred to, is provided, the spill could probably be safely taken over the crest of the dam. In this construction, as at site No. 1, the gate-house and regulating works would necessarily be built as a portion of the dam itself.

At the "hog-back" location it is proposed to build an earthen dam with a masonry core. The earthen dam is to be raised to a height of twenty-five feet above ordinary level of water and a spillway obtained by cutting through the narrowest portion of the remarkable ledge of rock which exists here and which it almost looks as though nature had provided for this purpose.

Neither my predecessor nor the commission of 1893 seriously considered the location now proposed for the reason that a superficial examination of this hog back raised some doubts as to whether or not it was sufficiently strong to withstand the pressure created by a high dam at this point. The very careful and extended surveys that I have had made here and the experiments described in Mr. Rafter's report of pumping water, under pressure, into holes drilled for the purpose, remove any doubt on this subject which could have heretofore existed. The advantages of this location are, first, that it removes the spillway entirely from the dam, and thus renders it impossible that, with a spillway of proper width and crest of dam placed at proper elevation, any damage can be done to the dam by the most extreme freshet; second, it renders it possible and convenient to erect gate-house and regulating works entirely independent of the dam; and, third, the proposed structure can be built at from thirty to forty-five per cent less cost than that at site No. 1.

While I know a prejudice exists against the building of high dams, either partially or entirely, of earth, I am of the opinion

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The Genesee Valley Just Below the Village of St. Helena.

that where ample spillway facilities can be obtained completely independent of the earthen structure,and where, as in this case, rock walls exist, against which it is entirely feasible to make water-tight connections at the ends of the dam, this prejudice is entirely unfounded. By building a dam on the site here proposed, and erecting a spillway where I have designed it, the channel of the stream will be so changed that the dam will form a lake, and thus become protected from wind action and from the force of the current.

On all the sites heretofore treated of, a shale rock underlies the river-bed at various elevations, averaging about fifteen feet below the normal surface of the river. Our borings and experiments made by pumping water into holes indicate that upper portion of this rock is somewhat porous in its nature. The plan which I have prepared, therefore, contemplates the digging of a trench to a depth of from fifteen to thirty feet below the rock surface (or thirty to forty-five feet below the ordinary elevation of water in the river) and the filling of this trench with impervious concrete masonry. With this treatment, aided possibly by putting in small quantities of grout below the elevations heretofore referred to, I doubt not that all danger of leakage under base of dam will be obviated. Based upon the plans and principles heretofore outlined, I estimate cost of these various structures as follows:

For fifty-eight feet dam, at site No. 1	$1,200,000
For fifty-eight-feet dam, at site No. 2	1,300,000
For fifty-eight-feet dam, at hog-back site	850,000
For a fifty-eight-feet dam, built of dimensions below its crest rendering it practicable to raise the same to a height of 130 feet for site:	
At site No. 1	2,250,000
At site No. 2	2,000,000
At hog-back site	1,400,000
To build a dam 130 feet high:	
At site No. 1	3,150,000
At site No. 2	3,350,000
At hog-back site	2,100,000

To first build a dam fifty-eight feet high, and afterwards raise it to 130 feet:

At site No. 1	$3,250,000
At site No. 2	3,400,000
At hog-back site	2,500,000

A study of these plans and estimates convinces me that, while it would be very desirable to obtain, as at site No. 2, a spillway entirely independent of the structure itself, that the advantages to be gained thereby would not be commensurate with the increased cost and loss of pondage of this structure over that at site No. 1, and, therefore, that the choice of location has narrowed down to between site No. 1 and the hog-back site.

The above estimates are based upon the presumption that stone for concrete will have to be obtained from quarries at a considerable distance from the proposed work, and those contemplating a stone structure presuppose the use of quarried stone in all its parts, except some of the minor foundation work. It has been suggested that, by the use in concrete of the shales forming the cliff against which these dams abut, the cost of these structures may be materially reduced. In order to determine the value of these suggestions, I have had made a number of blocks of concrete, composed of stone, whose durable qualities and strength are well known, and of the shales in question, mixed with varying proportions of sand and cement, and these blocks will hereafter be subjected to such tests as are deemed necessary to determine the questions involved. Until these tests are made, no intelligent conclusion can be arrived at as to the desirability and economy of the proposed use of this shale.

The figures given by Mr. Bogart and adopted by the commission of 1893 seem to show pretty conclusively that a dam fifty-eight feet high is needed here for the best interests of the Erie canal in its present condition. The construction of a dam of this height therefore would develop little or no benefit to interests other than those of the Erie canal, as, in order to meet the canal requirements upon this pond it would be necessary to pretty constantly maintain the elevation of water up to the height of the crest of the

A General View of the Hogback and Horseshoe Bend.

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spillway. If, therefore, this work is entered into not only for the purpose of supplying the present needs of the canal, but also its prospective needs, and for generating and forming a water storage which could be applied to other interests, I would strongly advise the building of a dam 130 feet high, which approaches the absolute control of the stream and secures to a large degree the full benefit of this most valuable resource. I have considered the problem of building such a fifty-eight-feet dam now, as it would be possible to heighten in the future to the 130-feet limit, but the difficulties of construction on this basis, as referred to in detail by Mr. Rafter, as well as the largely increased cost of the final securing by this means of the 130-feet dam, render it, in my opinion, very desirable that if this work is undertaken, it shall be prosecuted at once to completion.

It is possible that the 130-feet dam could be built in from two and one-half to five years, dependent upon the location and style of structure decided upon.

The advantages to be derived from the increased supply of water from the Genesee river, not only to the canal system of the State, but to a large number of its citizens living in the counties of Monroe and Livingston, are so self-evident as to scarcely require argument. The questions to be determined are, therefore: First. Are these advantages commensurable with the cost of obtaining them? Second. Is it not proper in the present favorable financial status of the State treasury, and cramped financial condition of many of our laboring and other citizens, for you to authorize at this time an expenditure of the funds necessary to realize these advantages? and, Third. If these two questions be answered in the affirmative, what proportion of the cost should be borne by the State and what by other parties interested in this improvement?

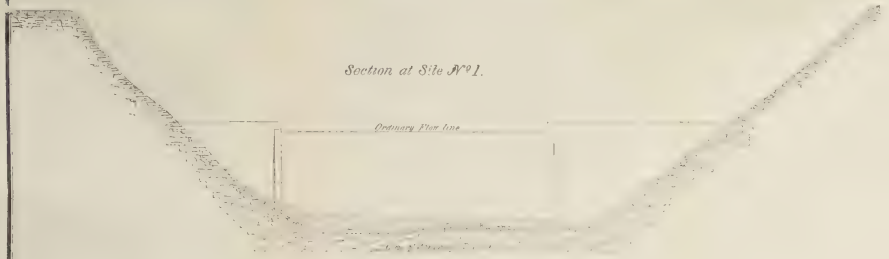
At an early period in the history of the canals the Genesee river was considered an important source of water supply for the canal, both easterly and westerly of Rochester, and the question of appropriating this supply was the subject of a document signed by Governor DeWitt Clinton, then acting canal commissioner. If at that early date the necessity for an increased supply was

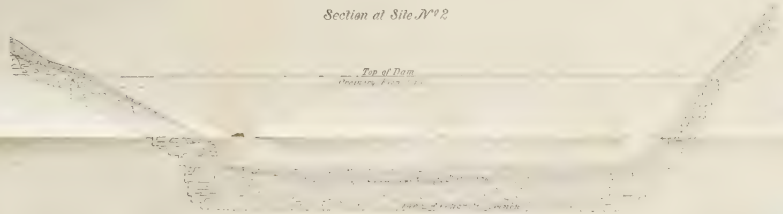
apparent, there is little doubt that such a necessity exists to-day.

That portion of the Erie canal now fed almost entirely by the waters of Lake Erie, extends sixty-six miles eastward from the terminus of the Genesee river feeder, and it can scarcely be doubted that such decreased velocity of water in the canal prism between Buffalo and Rochester, a distance of ninety miles, as would be obtained by an abundant well-regulated supply from the Genesee river would be of vast benefit to canal navigators.

While it may be possible that no actual necessity has, as yet, arisen for this increased supply, the advantages of the decreased velocity thus obtained and the increased facilities for feeding the canal in the spring, and the refilling of it after a break, the maintaining, during a break, of navigation on a long portion of the canal, which has now to be entirely abandoned until the close of the break, are so great as to render it probable that true economy would dictate the immediate prosecution of the work. Added to this are certain equitable considerations which should be given their proper weight. It can scarcely be disputed that the State has appropriated such of the waters of the Genesee river as are necessary to the proper interests of the canal. In this condition of affairs, the first title to the water vesting itself in the State, it can hardly be expected that any corporation can be formed for the development of this power unless the interests of the State can be extinguished. I do not think that proper public policy would allow the yielding by the State of this or any other of the important water privileges it now owns; yet, upon the other hand, I doubt the wisdom of a policy by the State, which, while refusing to surrender its rights would also refuse not only to develop them itself, but to allow any one else to develop this great source of wealth.

I have been advised by responsible citizens of Rochester, that if the rights of the State in the premises could be wiped out, there would be little difficulty in organizing a private corporation to press this work forward to a successful completion. Another element in the consideration of this question is the





1883

GENESEE RIVER STORAGE SURVEYS.

Cross-Sections at Dam Sites N°s 1 and 2, and the Hogback Location,

showing outline Elevations of proposed Dams

130 feet in height.

Note. The Ft. Hill Dam at Site N°2 and the Hogback Location, the spillways are designed to head one side entirely independent of the dam proper. For their proposed locations see Map. Regulating works not shown.

W. Sedgwick
State Engineer and Surveyor.

Geo. W. Rafter
Engineer in charge.

fact that the State has heretofore acknowledged, by its action in building reservoirs on the Black river, the equitable obligation resting upon it to make restoration "in kind," of waters diverted from private owners for public use.

Still another consideration entitled to weight in deciding a question of such far-reaching and vast importance as this, is the agitation now before the public looking toward the securing of means for electrical propulsion of canal boats. While an investigation and study of this question has not rendered it by any means certain that this method of propulsion will become shortly one of fact and not of expectation merely, I think it may be fairly stated that there is a reasonable hope of the economic adoption of this system on our canals, and if these hopes can be realized, the power generated here by water passing from this reservoir through a number of turbine wheels, suited to the varying heads under which they would act, would supply a force which would largely aid us in solving the question of cheap canal boat propulsion, and this would be true whether the success of the electrical system should be obtained by means of trolley wires or storage battery. If it came in the latter direction double advantages would be derived, the daily flow of the stream being devoted to manufacturing purposes, and night flow to the storage of the electrical fluid for canal purposes.

In concluding my report upon this subject I desire to give expression to my realization of the valuable assistance I have received in these investigations by the very comprehensive and able report made to you by Mr. Bogart in 1891; the valuable analysis of this report and the recommendations made by the commission of 1893; the intelligent and well-directed efforts of Mr. Geo. W. Rafter, the engineer assigned to the charge of the work done during the past summer, to the sound advice given and suggestions made by Hon. Elnathan Sweet, whom I have freely consulted in this matter, and to the assistance given me by Mr. Chapman L. Johnson, Deputy State Engineer and Surveyor, to whom I have confided the charge of the detailed work connected therewith.

Topographical Survey of the State.

Chapter 287 of the Laws of 1893, authorized the State Engineer and Surveyor to co-operate with the director of the United States Geological Survey in making a topographical survey and map of the State of New York, and appropriated for this work the sum of $24,000, and also made a further appropriation of $6,000 for locating and marking upon the ground in advance of the survey the lines between the several towns and counties in this State.

In pursuance of the provisions of this law I entered into the following agreement with Major J. W. Powell, Director of the United States Geological Survey.

Agreement between the State Engineer of New York and the Director of the United States Geological Survey for the construction of a topographical map of the State of New York.

1. The preparation of the map shall be placed under the supervision of the Director of the United States Geological Survey, who shall determine the methods of survey and map construction.

2. The order in which, in point of priority, different parts of the State shall be surveyed, shall be agreed upon in detail by the State Engineer and the Director of the United States Geological Survey.

3. The work shall be based upon the triangulation of the United States Coast and Geodetic Survey, the United States Lake Survey, and the New York State Survey, and wherever the triangulation is deficient it shall be supplemented by the United States Geological Survey.

4. The survey shall be executed in a manner sufficiently elaborate to prepare a map upon a scale of 1:62500, exhibiting the hydrography, hypsography and public culture, and including all town and county boundary lines as established and marked by the State Engineer at the time of its completion in form similar to the streets already completed in this State. The preliminary field maps shall be on such a scale as the Director of the United States Geological Survey may select to secure accuracy in the construction of the final map.

A General View of the Hogback from the West High Bank.

5. The hypsography shall be shown by contour lines with vertical intervals of twenty feet.

6. The heights of important points shall be determined and furnished to the State Engineer.

7. The outlines of wooded areas shall be represented upon proofs of the engraved map to be furnished the State Engineer.

8. For convenience the geological survey. shall, during the progress of the field work pay the salaries of the persons employed therein, while the traveling, subsistence, and field expenses shall be paid for the same time by the State. For office work and map the salaries shall be divided between the two agreeing parties in such a way as to equalize all expenses, provided that the total cost to the State of New York of the field and office work for the current year shall not be more than twenty-four thousand ($24,000) dollars and provided that the United States Geological Survey shall expend an equal amount.

9. During the progress of the work free access to the field sheets and records of the topographers and draughtsmen shall be afforded the State Engineer for examination and criticism; and should the said State Engineer of New York deem that the work is not being executed in a satisfactory manner, then the said State Engineer may, on formal notice, terminate the agreement.

10. The resulting map shall fully recognize the co-operation of the State of New York.

11. When the work is completed the State Engineer shall be furnished by the United States Geological Survey with photographic copies of manuscript sheets; and when the engraving is completed, and at all times thereafter when desired, the said State Engineer shall be furnished by the said survey with copper plates of the sheets of the map for use in transferring for printing editions of said maps.

(Signed.) J. W. POWELL,
Director U. S. G. S.

(Signed.) MARTIN SCHENCK,
State Engineer and Surveyor.

As the economical and proper prosecution of the work of marking town and county boundary lines required that it should be put

in the hands of a man of long experience and proven capacity in this special work, I requested Major Powell to detail for this service one of his men whose previous record and experience would be a guarantee of his ability to properly handle the work. He kindly detailed from his work and assigned to this department Mr. L. C. Fletcher, and I placed under his control two engineering parties for field operations. Mr. Fletcher's conduct of the work committed to him has fully proven the wisdom of the course thus adopted.

I hereto append reports from Mr. H. M. Wilson, geographer United States Geological Survey, giving a description of the work done during the year on the topographical survey, and of Mr. L. C. Fletcher, concerning the work of the locating and marking of town and county boundary lines.

I commend each of these reports to you for that careful and serious examination and consideration which in my opinion the importance of the subject demands. My success in so calling the attention of the Legislature to the importance, wisdom and economy of the policy of State and national co-operation in this work as to obtain legislative action authorizing its inception I regard as one of the most important and beneficial acts of my administration of this department. I sincerely hope that you will recognize the importance of a continuance of this policy about on the lines as laid down by the statute of 1893, and by the terms of the above agreement, and that you will adopt the necessary legislation to secure this end. Before committing myself to the indorsement of this policy I gave the matter most careful and serious study, and my deliberate judgment is that the methods now being pursued are the best obtainable, and that the results reached are as good as ought to be desired. Cogent arguments were urged upon me that instead of undertaking a work estimated to cost ten dollars per square mile, a work of a greater degree of scientific and mathematical accuracy should be inaugurated. I rejected these arguments for the reason that on examination of the methods now in vogue in this survey, and of the maps resulting therefrom, already published, I reached the conclusion that the accuracy

of the field work was all that could be desired for the production of maps on the scale of one mile to one inch, and that such errors as might arise in field observations were so small that they could not ordinarily be detected on maps drawn on the proposed scale — that maps on this proposed scale are sufficient for the use of the general public and that no fundamental changes in existing methods could be advantageously made without increasing the cost of the work from ten dollars per square mile to between thirty and fifty per square mile. While a work of a greater degree of scientific precision would be very interesting to the scientist or student, the benefits of the increased expenditure could not be conveyed to them in map form without greatly increasing the scale of the map with the result not only of increasing the cost to the State for the execution of the work, but also of making a set of maps so bulky and expensive as to largely decrease their usefulness as a means of information and education to the general public. The maps as are now published are on twenty inches by sixteen inches (including border) sheets containing from 215 to 225 square miles each and to show the 50,000 miles of the State of New York (making allowance for interstate sheets containing only portions of this State) will require 230 to 240 sheets. These sheets can be printed and placed on the market at a profit to the publisher at twenty-five cents per sheet. Thus a citizen could obtain a full set of these maps for not more than sixty dollars, while parties interested in local studies only could obtain data sufficient for their needs at an expense of from twenty-five cents up dependent on the area of the territory they desired to examine.

It is useless for me to enlarge on the advantages which will accrue to our citizens by the possessions of these maps. With them a person of only average education could form some intelligent opinion with reference to the feasibility of proposed railroad routes and thus wild-cat railroad schemes which have heretofore resulted so disastrously to many investors be for the future entirely cut off; with them, preliminary studies of proposed railroad routes, highway improvements, and systems of water supply and sewerage can be made in advance of instituting any observa-

tions in the field and with the result of intelligently determining the direction, scope, and extent of field work required for the development of plans for public work of this nature and finally they would give the citizen an avenue which does not exist to-day, through which he can obtain information, whether for pleasure or profit of the general topographical features of our State.

The appended report of Mr. Wilson gives a brief resume of the work which has been done during the past year, under the co-operative system, as also of work done by the United States Geological Survey prior to the entry of the State on this work and the facts he states and the figures he gives are highly gratifying to me.

To summarize the same field observations were taken during the year 1893, sufficient for the plotting, engraving and printing during the ensuing winter of maps covering 5,230 square miles at a cost of $32,000, or six dollars and forty cents per square mile, and he estimates that the cost of plotting this area during the ensuing winter will bring the total cost of mapping the 5,230 square miles up to $52,700, or ten dollars and seven cents per square mile.

The cost to this State for this work will be $24,000, divided by 5,230, or four dollars and fifty-nine cents per square mile. It will be seen that the work done last year was distributed over various sections of the State, and that the more expensive as well as the cheaper territory was covered. I, therefore, think it safe to assume that the cost of last year's work fairly represents the average at which the work can be prosecuted over the entire remaining area of the State.

Previous to the season of 1893 there had been mapped 4,159 square miles, so that with the opening of the field season of 1894 we will be in possession of maps covering 9,389 square miles. The total area of the State is something less than 50,000 square miles, leaving yet to be mapped less than 41,600. It therefore appears that upon the basis now adopted the entire work can be completed within eight years. It is true that without State aid this work will go forward, and were the present rate of expenditure of the national government to continue, one-half of

the present result would be obtained, but it is a fact that if State aid is withdrawn the national government will devote only a small percentage of its present expenditure to work in this State, and I think there will be little hope of a completion of the work within the next fifty years.

The present survey has been largely based on the admirable system of triangulation established by the New York State Survey Commission (Professor James T. Gardner, director), which covers about two-thirds of the area of the State. Where, however, this system has not been extended, it has been necessary to proceed with the work of triangulation. As further proof of the economy of the present system, I would call your attention to that portion of Mr. Wilson's report which states that the primary triangulation party has occupied and determined the geodetic features of thirty-five points (all of which have been permanently marked either by copper bolts imbedded in the native rock or by stone monuments), thus obtaining primary control for future mapping of 2,130 square miles, at an average cost of one dollar and forty cents per square mile.

This work has been well and carefully done, and while it may be a fact that it does not equal in scientific precision the work done by Professor Gardner, its accuracy is amply sufficient for the purpose in hand.

The question of the proper method of putting the results of this work before the public is one which demands your consideration. The question is, whether the State shall print these maps and sell them to its citizens, or whether their printing and sale shall be, under proper regulations, left to individual business enterprise. The State of Massachusetts has adopted the former course and has realized a considerable profit by the sale of its sheets at twenty-five cents per sheet. I leave this matter in your hands without any special recommendation from me, except the statement that I am inclined to seriously doubt the advisability of the policy of an entry by the State into such a mercantile transaction.

Concerning the other branch of this work, that of determining and marking the town and county boundary lines, your atten-

tion is called for information as to the work done during the past year, and as to the work which it is desirable to do in the future, to the report of Mr. L. C. Fletcher and the memoranda attached thereto, which will be found as an appendix to this report. Your attention is also called to the remarks made by me on this subject on page No. 37 of my annual report to the Legislature for the year ending September 30, 1892. The lack of positive data covering the location of these boundary lines is to any one who has investigated the subject very surprising, and it has been, and will continue to be until some comprehensive scheme of properly determining and marking these lines is adopted, provocative of tedious and expensive litigations involving the ownership of private lands and the rights of corporations and municipalities. Less than three per cent of the town boundaries of the State are marked by permanent monuments, while on many of them no monuments, either permanent or temporary, exist. The location and marking of county boundaries is in an equally unsatisfactory condition. Many of the counties and towns in this State are, to-day, absolutely ignorant of their boundary lines. The location of many other lines can only be determined by the testimony of old inhabitants, on others the only monuments are the perishable ones of stakes and trees, and on others disputes exist owing to conflicting surveys made at different dates. The statement that it is very desirable that an end should be put to this very unsatisfactory state of affairs will hardly be disputed, and the sooner the work is pushed forward to completion the better, as the old citizens who have knowledge of the original location of these lines, and the old surveyors who ran them, are rapidly dying off, and the temporary monuments of stakes, trees, etc., which are so valuable as guides to the surveyor in his work, are rapidly being obliterated. With the passage of each year this work becomes more difficult and expensive. If this work is to be prosecuted it would seem to be wise to have it proceed at such a rate as will secure the proper location of these lines in advance of the topographical survey, in order that they may be correctly placed on these valuable maps. Nothing short of an annual outlay of $15,000 will accomplish this end, and the

experience of the past year would seem to indicate that possibly a larger expenditure will be required. While I have, during the past year, availed myself of all the skill and industry at my command, and am thoroughly convinced that the moneys appropriated for this purpose have been intelligently and economically expended, an inspection of the appended reports will show that only a small number of these lines (confined almost exclusively to Clinton and Essex counties) have been determined, and none of them have been permanently monumented. If it should be determined that this work should go on, the questions will remain for your decision as to whether the whole or any portion of it should be a town, a county or a State charge, whether the legislation to be adopted should compel the town and counties to establish and mark these boundaries, subject, in case of dispute, to the review and final decision of this department, or whether the work should be committed entirely to this department.

If the system inaugurated in pursuance of the provisions of chapter 287, Laws of 1893, is to be continued, some further legislative action on this subject, besides the making of necessary appropriation, will be required. In the present condition of our statutes the control of county boundaries is vested in the Legislature alone, and no authority has been conferred by it on this department, or any person, to change these lines, or to settle disputes arising concerning them, except the vague authority conferred by the statute of 1893, heretofore referred to. With reference to town boundaries, the statutes (Eighth Edition, Revised Statutes, part 1, chapter 8, title 6, section 4) confer on the State Engineer and Surveyor the authority to settle boundary disputes arising between town officers on the same being presented to him, but I know of no statute, save the Law of 1893, giving him any authority to act in the premises unless a formal notice of such dispute is before him. If this work is to be taken up and systematically prosecuted by the State, I would advise the passage of a law with provisions substantially as follows:

First. Authorizing the State Engineer to proceed, through the agency of his duly appointed assistants, with the determination and temporary marking of these lines.

Second. Requiring the State Engineer to serve within a specified time on each county and town adjacent to the lines thus determined copies of maps and descriptions correctly designating the lines as determined.

Third. Authorizing the proper county or town authorities to appeal to the State Engineer within a certain specified time from the determination made by his subordinates.

Fourth. Authorizing the State Engineer to hear and determine such appeal and providing that his decision in such cases shall be final until the Legislature otherwise directs.

Fifth. Providing that if no appeal is made by town or county authorities before the expiration of the specified time the line shall be considered the true line until the Legislature otherwise directs.

Sixth. Directing either the State Engineer or the proper county or town authorities so soon as a final determination of any line is had, to properly and permanently monument the same.

In concluding this report I take great pleasure in commending the uniform zeal and efficiency displayed by each and every one of the many employes of this department in the performance of the several duties devolving upon them, upon which a successful administration so largely depends, and I would especially commend the valuable services rendered by Mr. Chapman L. Johnson, Deputy State Engineer and Surveyor. I also take pleasure in commending the excellent manner in which John P. Kelly, Russell R. Stuart and John Bisgood, division engineers on the eastern, middle and western divisions, respectively, and Jay W. Clark, David E. Whitford and Alfred T. Jones, resident engineers, have performed the several duties assigned them.

Respectfully submitted.

MARTIN SCHENCK,

State Engineer and Surveyor.

APPENDIX.

APPENDIX A.

ENGINEERING EXPENSES FOR THE FISCAL YEAR.

ORDINARY REPAIR FUND.

Chapter 129, *Laws* 1891, *and Chapter* 84, *Laws* 1892.

DIVISION.	CANALS.				
	Erie.	Champlain.	Oswego.	Black River.	Cayuga and Seneca.
Eastern	$8,548 28	$2,899 65	.....	.....	.....
Middle	7,384 80	.....	$1,077 95	$498 86	$217 46
Western	9,102 51	.....	.....	.....	.....
	$25,035 59	$2,899 65	$1,077 95	$498 86	$217 46

Total $29,729 51

Extraordinary Canal Improvements.

Eastern Division.

Abating nuisances on Chemung canal and feeder, chapter 726, Laws 1893	$145 85
Aqueducts over Mohawk and Schoharie creeks, chapter 5, Laws 1893	85 34
Deepening Erie canal, chapter 119, Laws 1893	21 96
Dredging Albany basin, chapter 567, Laws 1893	903 02
Examination of Troy and Cohoes dams, chapter 155, Laws 1892	1,818 09
Lengthening locks, Erie canal, chapter 119, Laws 1893	477 25
Little Falls dam, chapter 480, Laws 1892; chapter 119, Laws 1893	934 41
Repairs on Champlain canal, chapter 119, Laws 1893,	1,869 48

Schenectady wall, chapter 495, Laws 1892	$1,705 00
Survey Chemung canal and feeder, chapter 435, Laws 1892	172 33
Rebuilding Cohoes dam, chapter 643, Laws 1893...	1,864 68
Survey of State Board of Claims, chapter 356, Laws 1892; chapter 726, Laws 1893	1,098 32

Middle Division.

Raising tree dam on the Beaver river, chapter 469, Laws 1892	$848 52
Sherburne embankment, chapter 249, Laws 1892...	610 08
Wall at Rome, Black River canal, chapter 271, Laws 1892	71 52
Forestport roads and bridges, chapter 494, Laws 1892,	797 27
Forestport dam, chapter 494, Laws 1892	1,858 00
Survey of State Board of Claims, chapter 356, Laws 1892; chapter 726, Laws 1893	5,550 93
Salina street bridge, Syracuse, chapter 229, Laws 1893	800 00
South Madison street bridge, Rome, chapter 601, Laws 1892	27 90
Lengthening lock No. 76, Black River canal, chapter 119, Laws 1893	1,491 00
Deepening Erie canal, chapter 119, Laws 1893	350 00
Mulberry street bridge, Syracuse, chapter 610, Laws 1892	738 26
Clinton street bridge, Syracuse, chapter 57, Laws 1893	288 70
Spillway at Eaton brook, chapter 471, Laws 1893...	1,265 00
Baldwinsville dam, chapter 113, Laws 1893.....	464 69
Nichols street bridge, Syracuse, chapter 94, Laws 1893	152 46
Highway at head of Owagena lake, chapter 658, Laws 1893	366 69
Butternut creek improvement, chapter 119, Laws 1893	128 34
Twitchell creek, chapter 224, Laws 1893.....	42 83

Approaches to Seneca street bridge, Weedsport, chapter 161, Laws 1893		$90 00
Cleaning Beaver river reservoir, chapter 119, Laws 1893		48 95
Total		$15,991 14

Western Division.

Cooley's basin, chapter 589, Laws 1892		$86 94
Improving Erie canal at Buffalo, chapter 476, Laws 1892		1,334 90
Dyke at Corning, chapter 705, Laws 1892		427 77
Survey of Chemung canal and feeder, chapter 435, Laws 1892		959 02
Ford street bridge, Rochester, chapter 14, Laws 1893,		173 33
Erie basin and Black Rock harbor, chapter 119, Laws 1893		1,028 76
Genesee storage, chapter 726, Laws 1893		3,243 00
Wrought-iron bridges, Buffalo, chapter 153, Laws 1893		504 48
Honeoye creek improvement, chapter 563, Laws 1893,		333 05
Oak Orchard creek improvement, chapter 136, Laws 1893		797 36
Board of Claims survey, chapter 726, Laws 1893...		366 00
Abating nuisances, Chemung canal and feeder, chapter 726, Laws 1893		69 74
		$9,324 35

Special Appropriations.

Improving Saranac river, chapter 151, Laws 1893..		$158 57
Examination of monuments and maps disbursed by division engineer, chapter 302, Laws 1891; chapter 356, Laws 1892; chapter 726, Laws 1893	$1,484 99	
Examinations of monuments and maps paid directly by State Treasurer, chapter 302, Laws 1891; chapter 356, Laws 1892; chapter 726, Laws 1893..	5,460 81	
		6,945 80

Channel between Shinnecock and Peconic bays, disbursed by division engineer, chapter 302, Laws 1890; chapter 356, Laws 1892; chapter 726, Laws 1893	$454 87 —	$981 55	$1,436 42
For the establishment of town and county boundary lines in pursuance of provisions of chapter 287, Laws 1890			4,497 08
Topographical survey of State in co-operation with director of United States topographical survey, in pursuance of chapter 287, Laws of 1893			15,977 08
			$29,014 95

Summary.

Ordinary repairs	$29,729 51
Extraordinary canal improvements	36,411 24
Special appropriations	28,560 08
Total engineering expenses	$94,690 83

TABLE OF CONTRACTS PENDING ON THE NEW YORK STATE CANALS ON THE 30TH DAY OF SEPTEMBER, 1893.

NAME OF CONTRACTOR.	Date of contract.	Character of work.	LEGISLATIVE.		Appropriation.	Engineer's estimate.	Engineer's estimate at contract prices.	Payments to date.
			Chapter.	Year.				
John J. Hallock	July 3, 1893	Lengthening at the foot berme lock No. 19, Erie canal	119	1893	$38,000 00	$31,703 85	$29,459 80	.....
Buffalo Bridge & Iron Works Company	June 8, 1893	Constructing 35 burts for upper and lower Mohawk aqueducts	5	1893	75,000 00	7,281 75	8,610 00	$3,740 00
Rapp & Company	July 23, 1892	Constructing a stone dam across the Mohawk river at Little Falls,	480	1892	19,000 00	12,395 00	9,964 00	9,078 00
Cunningham & Monty	Aug. 4, 1893	Repairing dam across the Mohawk river at Cohoes	119	1893				
Wm. B. Wemple & Sons,	July 15, 1893	Construction for machinery for drawing boats into lock 19	643	1893	90,000 00	81,600 00	83,389 00	28,101 00
Hilt & Johnson	June 22, 1893	Constructing sub-structure of lift-bridge, Water street, Albany	119	1893	38,000 00	1,100 00	1,200 00	.....
Hilt & Johnson	June 22, 1893	Constructing superstructure of lift-bridge, Water st, Albany	394	1892	12,000 00	1,746 80	2,551 75	.....
P. W. Myers	Aug. 18, 1893	Dredging the Albany basin	394	1892		8,900 00	8,261 49	.....
Troy Public Works Co.	Sept. 25, 1893	Improving 6,500 ft. of Champlain canal from Wilbur basin waste-weir southerly	567	1893	20,000 00	17,500 00	11,900 00	.....
Troy Public Works Co.	Sept. 25, 1893	Constructing approaches to Van Der Werkin farm bridge, Waterford	119	1893	50,000 00	41,809 75	35,444 25	.....
Wm. H. Shepard & Sons,	July 20, 1892	Constructing wrought-iron bridge at Madison street, Rome	294	1893	3,500 00	2,856 00	2,748 00	.....
Hughes Bros.	June 13, 1893	Spillway, Eaton brook reservoir,	601	1892	5,000 00	4,350 00	3,800 00	2,975 00
Brunmelkamp & Lane	April 14, 1893	Substructure lift-bridge, Mulberry street, Syracuse	471	1892	Part of 17,000 00	12,650 00	12,135 00	5,049 00
Wm. H. Shepard & Sons,	April 14, 1893	Superstructure lift-bridge, Mulberry street, Syracuse	610	1892	*14,000 00	2,203 50	2,144 65	1,411 00
William H. Eldridge	Aug. 14, 1893	Raising approaches to Seneca street bridge, Weedsport	610	1892	.....	.....	8,700 00	4,250 00
William J. Crammond	Sept. 19, 1893	Bridge over old abandoned Erie canal at South James st., Rome,	161	1893	1,000 00	900 00	810 00	.....
Edward S. Candee	Aug. 14, 1893	Constructing highway at head of Owagina lake	562	1893	2,300 00	1,887 00	1,799 20	.....
Hughes Bros. & Bangs	Aug. 14, 1893	Stone dam across Seneca river, Baldwinsville	658	1893	6,000 00	5,110 00	4,861 50	1,887 00
Beckwith & Quackenbush,	July 20, 1892	Clearing flow ground, above Forestport pond	113	1893	35,000 00	31,210 00	33,516 00	1,530 00
			342	1891	15,000 00	12,500 00	11,000 00	8,483 00

*State and city, $7,000 each.

TABLE OF CONTRACTS PENDING ON THE NEW YORK STATE CANALS — (*Concluded*).

NAME OF CONTRACTOR.	Date of contract.	Character of work.	LEGISLATIVE.		Appropriation.	Engineer's estimate.	Engineer's estimate at contract prices.	Payments to date.
			Chapter.	Year.				
Beckwith & Quackenbush,	July 20, 1892	Completion reservoir dam above Forestport pond	494	1892	$35,000 09	$30,815 00	$30,780 00	$13,209 00
John J. Hallock	Mar. 28, 1893	Rebuilding lock No. 76, Black River canal	119	1893	17,000 00	14,913 00	12,535 00	10,900 75
F. Louis Faass & Co.	Aug. 30, 1892	Raising dam on Beaver river, Stillwater	469	1892	15,500 00	13,775 00	13,220 00	8,755 00
W. H. Shepard & Son	April 8, 1893	Wrought-iron bridge superstructure over Erie canal at Ford street, Rochester	14	1893	6,000 00	4,000 00	3,925 00	.....
Edward H. Rodgers, Jr.	Aug. 14, 1893	Arch culvert over State ditch on Broad street, Tonawanda	244	1893	5,000 00	5,000 00	4,565 00	.....
Kingston & Woods	Aug. 17, 1893	Deepening and improving Erie basin and Black Rock harbor	119	1893	30,000 00	26,022 00	20,380 00	.....
James Robinson	Sept. 21, 1893	Abating nuisance on the Chemung canal feeder, Big Flats	726	1893	15,000 00	2,401 00	2,387 60	Work done in part under appropriation: None.
McGregor & Hughes	Sept. 25, 1893	Bulkhead for Oak Orchard creek feeder in Medina, and improving Oak Orchard creek and Oak Orchard creek feeder	136	1893	35,000 00	31,000 00	29,766 30	.....
Hilton Bridge Const. Co.,	Sept. 28, 1893	Four iron bridges over State canals in Buffalo	153	1893	20,000 00	.....	15,725 00	.....
P. J. Brummelkamp	July 7, 1893	Restoring and protecting approaches to swing-bridge over the Shinnecock and Peconic canal	726	1893	10,000 00	10,633 50	10,869 16	9,036 00

Final Accounts Passed in this Office During the Fiscal Year Ending September 30, 1893.

Number.	CHARACTER OF WORK.	Name of contractor.	Engineer's estimate at contract prices.	Amount of final account.
1	Retaining wall on the west side of Black River canal at Stanwix street, Rome	William J. Cramond	$1,349 00	$1,254 80
2	Building dyke at adjacent to Chemung river at Corning	Albert J. Himes	6,443 75	5,994 35
3	Repairing the State embankment at Mad brook, Sherburne	William Patrick	7,442 00	7,426 39
4	Repairs to lock No. 7, Erie canal	Ira Parker	6,204 00	5,026 70
5	Building a lift-bridge over Oswego canal, North Salina street, Syracuse*	John J. Hallock	2,077 50	2,639 94
6	Building a lift-bridge over Oswego canal, North Salina street, Syracuse†	Groton Bridge Manufacturing Co	7,539 00	7,814 15
7	Construction of iron pipe culvert at Cooley's Basin	Robinson & Pond	1,290 00	1,631 22
8	Strengthening and protecting berme bank, 2,200 feet, Schenectady	John Twomey	13,723 82	13,593 37
9	Raising roads and bridges at Forestport pond	Beckwith & Quackenbush	11,902 50	11,907 97
10	Removing obstructions from Erie canal, Buffalo	Kingston & Woods	19,525 00	16,142 15
11	Abating nuisances on Chemung canal feeder, Big Flats	James B. Lynch	319 50	302 61
12	Substructure of swing-bridge over Shinnecock and Peconic canal	P. J. Brummelkamp	6,064 00	6,018 22
13	Superstructure of swing-bridge over Shinnecock and Peconic canal	Hilton Bridge Construction Co	1,380 00	1,380 00

* Substructure.

† Superstructure.

In addition to the above there have been prepared and approved eighty estimates for making partial payments to contractor during the progress of work aggregating in value $163,469.39.

REPORT

OF THE

DIVISION ENGINEER

OF THE

EASTERN DIVISION

FOR THE

YEAR ENDING SEPTEMBER 30, 1893.

APPENDIX B.

ALBANY, N. Y., *October* 1, 1893.

HON. MARTIN SCHENCK, *State Engineer and Surveyor:*

Sir.—I have the honor to submit the following report on the Eastern Division of the New York State canals, for the fiscal year ending, September 30, 1893:

Description of the Eastern Division.

This division embraces that portion of the Erie canal, with its feeders and side-cuts, extending from the Hudson river at Albany to the dividing line betweeen the counties of Herkimer and Oneida, and the whole of the Champlain canal, with its feeders, ponds and side-cuts. For convenience of maintenance and operation it is subdivided into repair sections as follows:

Section No. 1, Erie, extends from the Hudson river to the head of lower Mohawk aqueduct, including the Albany basin and the side-cuts at Port Schuyler and West Troy, and also includes that portion of the Champlain canal extending from its junction with the Erie to the northerly end of the bridge across the Mohawk river at Cohoes and the dam at Cohoes.

Section No. 2, Erie, extends from the head of lower Mohawk aqueduct to the head of lock No. 27.

Section No. 3, Erie, extends from the head of lock No. 27 to the head of lock No. 34.

Section No. 4, Erie, extends from the head of lock No. 34, to the westerly end of the division.

Section No. 1, Champlain, extends from the northerly end of Mohawk river bridge at Cohoes, to the north end of bridge across the Hudson river at Northumberland, including sloop-lock and pond at Troy.

Section No. 2, Champlain, extends from the north end of bridge across the Hudson river at Northumberland, to the waste-weir at Dunham's basin.

Section No. 3, Champlain, extends from the waste-weir at Dunham's basin to Lake Champlain.

The mileage of canals, feeders and river improvements is as follows:

Navigable.

	Miles.
Erie canal, Albany to east line of Oneida county	106.243
Port Schuyler and West Troy side-cuts	.350
Albany basin	.770
Champlain canal, including Waterford side-cuts and Cohoes and Saratoga dams	66.000
Pond above Troy dam	3.000
Glens Falls feeder and pond	12.000
Total	188.363

Feeders not Navigable.

	Miles.
Mohawk river, at Rexford Flats	.39
Mohawk river, south side, at Little Falls	.19
Mohawk river, at Rocky Rift	3.92
Schoharie creek	.63
Total	5.13

Erie Canal.— Water Supply.

The Erie canal upon this division is supplied with water from the following sources:

That portion of this division west of Little Falls is supplied from reservoirs and streams on the Middle Division, through the Rome level at Little Falls the supply is through the feeder from the Mohawk river, entering the canal through the towpath, about sixty feet below lock No. 39.

Near Mindenville the supply is through Rocky Rift feeder from the Mohawk river, discharging into the canal through the towpath, 400 feet below lock No. 34.

Near Fort Hunter the supply is from Schoharie creek, discharging into the canal on the berme side about 400 feet below lock No. 29.

At Rexford Flats the supply is from the Mohawk river, entering the canal through the towpath, about 120 feet below lock No. 21.

The water supply on this division of the Erie canal has been uniformly good, and the levels kept fully up to their proper elevation.

Champlain Canal. — Water Supply.

The water supply of the Champlain canal is principally from the Hudson river through the Glens Falls feeder, discharging into the summit level of the Champlain canal, supplying the canal from Northumberland to Whitehall, being supplemented on the north by waters of Wood creek. Also from Northumberland to the first lock north of Waterford the suppy is from the Hudson river entering the canal at Northumberland, and from the first lock north of Waterford to its junction with the Erie canal, including the Waterford side-cut, the supply is from the Mohawk river, entering the canal at Cohoes and at its junction with the Erie canal through the Erie canal from Rexford Flats. The water supply on this canal during the past year has been ample.

Erie Canal.

Banks, prisms, docking, etc.

The towpath has been raised in places where it was low, and has been placed in good condition by graveling where necessary. Bars have been removed from various portions of the prism and a considerable amount of bottoming out has been done at various places.

Docking has been repaired and rebuilt at several points along the canal, but there is still a great deal of it which needs renewing.

Repairs have also been made to vertical and slope walls where possible with the small amount of money available for that purpose. The vertical wall through the city of Cohoes is in very poor condition and needs renewal. Also some of the vertical wall on

the berme side of the canal near Ilion is in poor condition, as well as at other places.

The high bank on the berme side of the canal just west of Schenectady is still protected only by the partially decayed plank docking built there some thirty-seven years ago, excepting 4.540 feet, where the plank docking has been replaced by a stone wall laid in cement. Two thousand two hundred feet of this wall were built last winter; this leaves about 4,200 feet of the bank still poorly protected. The stone wall should be extended along the entire length of this embankment, for which further appropriation should be made. A break here would occasion great damage to the works of the Edison General Electric Company and to a large section of the city of Schenectady.

About 9,000 feet of the opposite or towing-path bank have a similar protection of decaying plank docking, which should be replaced by a substantial stone wall.

The docking on the towing-path side of the canal at Bignose is in very poor condition, and should be rebuilt. Attention has been called to this docking in several preceding reports from this office.

Locks.

Thirty-three new lock-gates have been inserted during the year, and twenty-seven new balance-beams.

The bottom of locks Nos. 7, 11, 13, 14, 17, 19, 22 and 25 were partially replanked, and holes were filled with crushed stone and grouted to stop the leaks. Several lock walls were pointed, and repairs were made to mitre-sills.

Lock No. 7 was badly undermined and a portion of the floor and of the walls had settled down, making it impossible to fill the locks. This occurred just at the close of the season of navigation in 1892.

Repairs were made during the winter by taking down the lock walls and culvert where affected, tearing up the planking over the whole bottom, raising the timbers in the foundation that had settled away, and filling all spaces found under and between the timbers with concrete. New planks were then put down, and the lock walls and culvert rebuilt. The lock is now in good condition.

The bottom of locks Nos. 3 to 18 should be examined and thoroughly repaired where necessary, by renewing the planking and filling the spaces between foundation timbers with concrete, both in the old lock chambers and in the culverts between the lock chambers.

Locks Nos. 22 and 25 were hurriedly repaired and should be again examined and repaired.

These locks and culvert bottoms allow the water to leak from one lock chamber to the other, or from the lock chambers to the culvert between them.

Nearly all the lock walls should have the joints cleaned out and thoroughly caulked and pointed with Portland cement. The stone-filled timber piers at locks Nos. 2, 25, 26, 27, 30, 31, 32, 33, 34 and 36 need rebuilding.

The culvert between the two chambers of lock No. 24 is falling in, and needs repairing.

Puddle is required back of lock walls on pier between lock chambers at lock No. 13, and back of lock wall on towing-path side of lock No. 32 to shut off leaks. At lock No. 23, the lower part of walls in upper chamber on berme side requires dressing back, as boats bind here.

At the West Troy side-cut locks, the retaining wall on towing-path side requires repairing.

At several of the locks new gates are required and some of the gates should have the upper part of toe-posts trimmed to allow the gates to close tightly and prevent leakage. Also, a few of the miter-sills need repairing to prevent leakage.

The coping stones on several of the lock walls, especially the hollow-quoin coping-stones, are badly disintegrated and should be renewed.

Culverts.

The culverts, generally, are in fair condition, although some of them require slight repairs, especially to the wings. The culvert between locks Nos. 6 and 7 needs new plank in bottom. The culvert that carries the feeder under the canal at the upper

Mohawk aqueduct requires repairs to the upper spandrill wall. The culvert carrying the Rocky Rift feeder under Castle creek requires repairs to masonry and to paving in creek bed. The first culvert west of lock No. 41 should be rebuilt. It is in very bad condition.

All the culverts should be cleaned out. Some of them are completely choked with gravel.

Waste-weirs.

Waste-weir No. 4 between locks Nos. 9 and 10 has been strengthened, but the masonry should be rebuilt at once.

Waste-weir No. 6, west of lock No. 20, is not now in use. It should be rebuilt and made serviceable.

No. 7, just west of Rotterdam street, Schenectady, has not been in condition to use for some years. It is the only one on the seven-mile level and should be rebuilt.

No. 14, between locks Nos. 36 and 37, is in poor condition. The timbers are badly rotted. It should be rebuilt farther west, as it is too near the head of lock No. 36.

No. 15, west of lock No. 39, needs repairs.

No. 16, between locks Nos. 40 and 41, has been rebuilt and No. 17, between locks Nos. 41 and 42, is in bad condition and should be rebuilt. The towing-path, near waste-weir No. 16, is low and should be raised. The gate masonry at head of Schoharie creek feeder needs repairing. The masonry of all the waste-weirs should be pointed with Portland cement.

Aqueducts.

The masonry of the lower Mohawk aqueduct is in pretty good condition, except that it needs pointing. The timber sides of this aqueduct are to be entirely renewed this winter and the timber trusses and side-braces are to be replaced by wrought-iron.

Some few of the timbers have been renewed during the past year.

The masonry of the upper Mohawk aqueduct needs considerable repairing on the up-stream side; some of the timber protection on ice-breakers has been torn off and the exposed masonry badly

damaged by ice. The masonry should be repaired and protected by new timbers.

One span of the timber trunk of this aqueduct was rebuilt last winter and several of the other spans are to be rebuilt during the coming winter, and wrought-iron trusses and side-braces are to be substituted for the timber ones.

At the Schoharie creek aqueduct, cribs of timber filled with stone were built during this last summer around the three piers that had settled most, and gravel was packed in under the foundations of these piers. The cribs will protect the piers from any further settlement caused by securing.

The sides of the timber-trunk will be renewed during the coming winter.

New timber protection is needed for the ice-breakers, and some of the coping-stones of the parapet on the towing-path side have been broken and should be replaced.

The aqueduct at Spraker's needs new timber trunk and the gravel that has collected in the creek bed under the aqueduct should be cleaned out. It fills nearly the entire waterway.

The Canajoharie aqueduct needs new timber trunk and the creek bed under it requires cleaning out.

The Fort Plain aqueduct requires repairs to timber trunk; the foundations of the piers and east abutments have been partially undermined and have settled so much that one of the piers will have to be entirely rebuilt, and the other three piers and the east abutment should be partially rebuilt, and the foundations will have to be strengthened.

The one-span aqueduct, just west of lock No. 40, should have the masonry wings on the berme-side rebuilt.

The other aqueducts are in fair condition, but the masonry of all of them should be repointed.

Ordinary repairs have been made to most of the aqueducts on this division during the year, but the bad condition of many of them requires repairs and renewals so extensive that they can only be made from special appropriations for the purpose.

Dams.

There are four dams on this division.

Dam No. 1, located at Rexford Flats, across the Mohawk river. This dam is in good condition, with the exception of the apron, more than one-half of which has been carried away and should be replaced.

Dam No. 2, located at Fort Hunter, across Schoharie creek. A portion of the apron has been carried away and the dam itself leaks badly, rendering the Schoharie creek feeder almost useless. The dam should be overhauled and repaired and made tight by filling and planking, and new apron should be built. The planking should be extended up stream to the ends of the timbers and sheet-piling placed along the upper side of the dam.

Dam No. 3, located five miles east of Little Falls across the Mohawk river and known as the Rocky Rift feeder-dam.

Dam No. 4, located at Little Falls, across the Mohawk river. The stone dam being built under chapter 480, Laws of 1892, and chapter 119, Laws of 1893, by Rapp & Co., of Canajoharie to take the place of the old timber structure, is almost completed. It is a substantial piece of work and will give a more certain supply of water to that portion of the canal fed by it.

Lift-gates to resist pressure from either side should be substituted for the present miter-gates at the head of the feeder, in order that the water may not flow from the canal through the feeder into the river at times when the level of the river water surface is below that of the canal.

Bridges and bridge abutments.

During the year bridges Nos. 1, 10, 31, 38, 45, 55, 129, were rebuilt and repairs were made to many of the bridges. Bridges Nos. 5, 8, 69, 95, 96, 97, 106, 120, 127, 136 and 163; towing-path bridge over feeder near lock No. 21, and bridges Nos. 3 and 4 on Rocky Rift feeder should be rebuilt at once.

Abutments of swing-bridge at West Troy upper basin, berme abutments of bridges Nos. 74, 142 and 149, and south abutment of bridge No. 9 on Rocky Rift feeder need rebuilding.

Bridge No. 136, is on Ann (or Bridge) street in the village of Little Falls and carries the greater part of the traffic to and from the West Shore railroad depot. The present structure which is a cast iron arch bridge is in very poor condition, and altogether too lightly built to meet the present requirements. It is to be replaced by a substantial wrought-iron bridge this winter.

The cast-iron arch bridge at Bridge street, Amsterdam, is also to be replaced this winter by a substantial wrought-iron structure.

Repairs are needed to bridges Nos. 9, 30, 32, 41, 44, 46, 48 and 126; and to the berme abutments of bridges Nos. 35, 72, 77, 117, 119, 132 and 145, and to the east abutment of bridge No. 1 on the Rocky Rift feeder. Bridge No. 14 needs new floor. The berme abutment of bridges Nos. 39, 40, 42, 63, 112 and 169 lean towards the canal. They should be dug behind and under and tipped back into position.

The abutments of the bridges generally should be repointed.

A lift-bridge was built during the year at Water street, Albany, over lock No. 1, in place of the two-span cast-iron arch bridge formerly there.

There are now five lift-bridges on this division on the Erie canal and three on the Champlain canal, one of which was built across the Champlain canal at Mechanicville by the Fitchburgh Railroad Company. Those on the Erie canal are located, one at Water street, Albany; one at North Ferry street, Albany; one at Nineteenth street, West Troy; one at Church street, Schenectady, and one at Main street, Fort Plain. The cables carrying the floor system of these bridges are allowed to remain on the bridges during the winter season, subject to a constant tension and exposed to the action of rain, snow and freezing weather. As a consequence of this treatment, the cables soon become weakened by rust and by loosening and spreading of the strands composing them. As a preservative measure, I would suggest that all cables be removed from lift-bridges at the close of navigation each year, well brushed, to remove any rust that may have formed, oiled and laid away under shelter until the following spring. All the machinery of the lift-bridges should also be well cleaned and oiled every spring.

Extraordinary Repairs.— Lift-bridge at Water St., Albany.

Chapter 394, *Laws of* 1892.

This act provides for building a lift-bridge over lock No. 1, Erie canal, at Water street, in the city of Albany, in place of the fixed bridge and approaches, at an expense not to exceed $12,000, which expense is to be borne by the city of Albany.

The contracts for constructing the structure and the superstructure were awarded to Hilt & Johnson, of Greenbush, and the work has been nearly completed.

Little Falls Dam.

Chapter 480, *Laws of* 1892.

This act appropriates $15,000 for the building of a stone dam across the Mohawk river at Little Falls, to replace the timber structure. The contract was awarded to Rapp & Co., contractors, of Canajoharie.

Chapter 119, *Laws of* 1893.

This act appropriates an additional $4,000 for completing the dam and repairing the Little Falls feeder. The dam is now almost entirely completed.

Strengthening and Protecting Berme Bank at Schenectady.

Chapter 495, *Laws of* 1892.

This act appropriates $20,000 for strengthening and protecting the berme bank of the canal at Schenectady.

The contract was awarded to John Twomey, of Schenectady, who built 2,200 lineal feet of wall in continuation of that already built for 2,340 lineal feet from Rotterdam street. Plans have also been prepared for continuing the stone wall to the westerly end of the high bank.

West Shore Railroad.

The work of filling in the "dugway trestle" on the West Shore railroad just east of Mohawk, has been completed by the New York Central railroad company, as lessee of the New York, West

Shore and Buffalo Railroad Company, in accordance with a permission granted by the Superintendent of Public Works December 30, 1891.

Lengthening Lock No. 19.

Chapter 119, *Laws of* 1893.

This act appropriates $38,000 for lengthening lock No. 19.

Plans have been prepared for lengthening the berme-lock at the foot, and the contract has been awarded to John J. Hallock, of Syracuse. The contractor is now delivering materials with which to carry on the work.

Rebuilding or repairing upper Mohawk aqueduct, lower Mohawk aqueduct and Schoharie creek aqueduct.

Chapter 5, *Laws of* 1893.

This act appropriates $75,000 for rebuilding or repairing the upper Mohawk aqueduct, lower Mohawk aqueduct and the Schoharie creek aqueduct.

Plans have been prepared for renewing portions of the timber trunks and for replacing the timber-trusses and side-braces by wrought-iron.

The contract for the wrought-iron trusses and braces was awarded to the "Buffalo Bridge and Iron Works" of Buffalo, and the material has been partially manufactured.

Bridge at Ann Street, Little Falls.

Chapter 197, *Laws of* 1893.

This act appropriates $3,500 for replacing the present cast-iron arch-bridge by a wrought-iron structure, and plans for the work are now being prepared.

Bridge at Bridge Street, Amsterdam.

Chapter 561, *Laws of* 1893.

This act appropriates $4,500 for replacing the present cast-iron arch-bridge by a wrought-iron structure and the plans for the work are now being prepared.

Foot-bridge at Fifteenth Street, West Troy.

Chapter 137, *Laws of* 1893.

This act appropriates $1,200 for the construction of a foot-bridge on the Erie canal at Fifteenth stret in the village of West Troy. The plans have been prepared.

Albany Basin.

Chapter 567, *Laws of* 1893.

This act appropriates $20,000 for dredging in the Albany basin. The contract for dredging was awarded to P. W. Myers, of Albany, and the work is now in progress.

Breaches.

There were no breaches on this division of the Erie canal this year.

On the night of March 12, 1893, an ice-gorge formed in the Mohawk river, a little west of Schenectady, causing the water to flow from the river over the towpath bank into the canal, filling the canal which was also blocked near the upper Mohawk aqueduct. The water also backed up from the river through a large culvert under the canal, overflowing the lowlands on the berme side of the canal. The floors of the shops of the Edison General Electric Company, which shops were built on this low ground, were covered with water, as were also the lower floors of a number of small tenement-houses.

As the frost had not yet left the canal banks, the only damage they received generally consisted in a slight cutting of the top and slopes by the overflowing water. This was soon repaired, but between locks Nos. 23 and 24 the river ice was swept against the outside slope of the towpath bank, cutting away a large portion of it and materially weakening it. A large amount of stone was thrown in here during the ensuing summer, repairing the damage and protecting the bank from further injury of the same nature.

Champlain Canal.

Banks, prisms, docking, etc.

During the past year gravelling the banks and raising them where low has been continued, but more work of this kind will be required to put them all in good condition. The towpath from Smith's Basin to Dunham's Basin requires raising.

Bars have been removed from the prism at several points during the season of spring repairs, and some bad sink-holes that were found in the bottom of the Glens Falls feeder were cleaned out and filled with concrete.

The greater portion of the prism of the Champlain canal, where the depth has not been increased to six feet in the course of the extraordinary improvement, requires considerable cleaning out to attain the standard depth of five feet. New docking has been built during the year at various places, amounting to 4,400 lineal feet in all, 1,000 lineal feet of which were on the Glens Falls feeder.

The docking on the towing-path side of the canal, from lock No. 10 to the river bridge at Northumberland, and on the berme side of the canal from the same lock to the bulkhead at the end of the Saratoga dam, is in very bad condition and should be rebuilt.

Between Waterford and Schuylerville there are about 3,000 lineal feet of docking on the towpath side which is in very poor condition, and should be rebuilt.

Several leaks were discovered and repairs made in time to avoid breaks.

Repairs have been made to slope walls and to vertical walls where they had fallen into the canal. The walls on both sides of the Waterford side-cut, just below locks, need rebuilding.

At the narrows, where the canalized portion of Wood creek runs through a very narrow cut in the rocks below Whitehall, the prism is so narrow that it is with difficulty that two boats can pass at any time, and at times of high water the current is so swift that it is very difficult and dangerous for even one boat to pass through.

The creek should be widened at this point by blasting out the rocks.

Locks.

During the year six new lock-gates have been placed in position and repairs made to other gates; also, to miter-sills in several of the locks.

The breast-walls of locks Nos. 2, 3, and 4, are leaking and need rebuilding.

At lock No. 6, the walls have been forced in towards the center of the lock, causing the tops to assume curved lines, and reducing

the batter to almost nothing, and making it difficult for boats to pass through the lock. The trouble is probably caused by leakage. The water leaks through the walls and back of them, and this water freezing in the winter time, both in the walls and behind them, would tend to disrupt the walls and throw them forward. The face of the walls should be cut back so as to be parallel to the center line of the lock, and far enough to allow boats to pass through the lock freely. To shut off the leaks the earth should be removed from back of the walls and grout run into the walls and the space back of them filled with puddle. When the face of the walls has been cut back the joints should be caulked and pointed with Portland cement.

At lock No. 7, the walls are too low and timbers have been placed on the top of the towing-path wall to prevent the water from overflowing. These walls should be raised by a course of stone. Puddling is required back of both walls to shut off leaks.

At lock No. 8, the walls of the sluice around the lock lean forward. They should be partly rebuilt.

At lock No. 9, there is a condition of affairs similar to that at lock No. 6. Here the walls bulge in toward the center of the lock chamber about eight feet below the top. The same treatment is recommended for this lock as for No. 6.

The sluice around lock No. 9, has been cleaned and repaired.

At lock No. 10, the timber in the bulkheads at head of sluices around the lock needs renewal.

At lock No. 11, there is a very bad leak around and through the lock wall on the berme side, which should be cut off by grouting, puddling and sheet-piling.

At locks Nos. 13 and 14, the timber under the tumble-gates should be renewed. The lower wing walls of lock No. 14 needs some repairs. The timber in bulkheads at head of sluices around locks Nos. 1, 4 and 13, on Glens Falls feeder, and timber sluices around lock No. 4 need renewal.

The timber in bulkhead, at head of sluice around lock at head of Glens Falls feeder, will require renewal in a year or two.

The joints of all lock-walls should be cleaned out, caulked and pointed with Portland cement.

Culverts.

The culverts on this canal are generally in fair condition. The first stone arch culvert below lock No. 13, should be rebuilt on the towing-path end, where it has fallen out of shape.

The wooden box culvert about 1,200 feet west of Glen street, Glens Falls, from prism of feeder through the towing-path, is badly decayed and should be rebuilt.

Some of the culverts are partially filled with gravel, etc., that has collected in them, reducing the effective waterway. They should be kept clear.

Waste-weirs and sluiceways.

Repairs have been made to the waste-weirs and sluiceways during the year.

New timbers are needed in waste-weir No. 1, just below lock No. 7.

Waste-weir No. 2, just below lock No. 8, should be rebuilt. The timbers are decayed and the masonry joints are open so as to allow the water to leak through.

Waste-weir No. 3, above Mechanicville, should be rebuilt. The masonry has been forced out of shape and is very leaky. It has been repeatedly repaired, but can be put in good condition only by rebuilding.

Lansing's waste-weir, at Stillwater, needs extensive repairs.

Waste-weir at Bemis Heights requires new timbers. The foundation of the waste-weir near Wilbur's basin gave way last spring, causing a dangerous leak. The level was drawn down and extensive repairs were made to the bottom of the waste-weir. The waste-weir should be rebuilt.

New timber is required in the waste-weir next south of bridge No. 50.

The masonry of waste-weir next below No. 10 is very leaky and needs attention. New timbers are required in waste-weir between locks No. 11 and 12, also in Moses kill and Eastman's waste-weirs.

Dunham's basin waste-weir needs repairs to masonry and some new castings. Smith's basin waste-weir and the waste-weir on the Glen Falls feeder need rebuilding.

Manville waste-weir is leaky. The masonry should be grouted and pointed. The masonry of all the waste-weirs should be repointed.

Aqueducts.

The trunk of the aqueduct at Fort Edward has been repaired.

The stone wall supporting the road that lies on the towpath side of this aqueduct is not in very good condition. It has been gradually forced out towards the foot, giving the face a curved section, with the top leaning towards the road. It will be necessary to rebuild it within a few years.

The other aqueducts are in a fair condition, but all the masonry requires pointing.

Dams.

The dam across the Hudson river at Troy is a stone filled timber crib dam, with apron of similar construction. It is very leaky, many of the timbers are rotted, and in some portions the stone filling has been washed out.

Last spring a piece of the apron, about 100 feet long, and containing the fishway, was carried away by the ice. On June 12, 1893, about sixty feet in length of the dam itself, where it was weakened by the loss of the apron, was also carried away. Repairs were made to the break and advantage was taken of the low stage of the water, caused by the break, to make some badly needed repairs to the crest of the dam, and to the covering of the dam and apron.

The dam across the Mohawk river at Cohoes is a stone dam built on the rock bottom of the river.

During the winter the coping and face-stones were carried away by the ice and water at three different places, making three very serious breaks in the dam. An appropriation was made by the last Legislature for repairing this dam, and the work of repair is now under way.

In my report to you, dated January 30, 1893, in compliance with the provisions of chapter 155, Laws of 1892, I stated in detail the condition of the dam and the causes of its weakness, and suggested plans for placing it in good condition.

The stone dam on Wood creek, just south of lock No. 19, requires extensive repairs; the central pier on top of the dam and portions of the two upper courses of stone have been carried away.

The two stone dams on Wood creek, south of lock No. 20, require some repairs; the abutments and the piers on top of the dam are somewhat dilapidated.

The tree dam south of lock No. 20 on Wood creek requires repairs; a portion of the north abutment needs rebuilding, and some of the timbers in the dam have decayed, and should be replaced by sound ones.

Bridges and bridge abutments.

Many of the bridges on this canal have been repaired during the year, and bridges Nos. 3, 32, 33, 51, 67, 95, 100, 110 and 111 have been rebuilt.

These bridges need rebuilding: Nos. 7, 16, 19, 21, 28, 47, 53, 54, 60, 65, 92, 94, 102, 112, 114, 116, 122, 123, 124, 125 and 135.

Bridges Nos. 19 and 21 have been taken down and are being replaced by iron bridges.

Bridge No. 22, at North street, Mechanicville, is on the road to Saratoga, and is too small and too light for the traffic. It should be replaced by an iron structure.

A new berme abutment was built at bridge No. 114.

New abutments should be rebuilt as follows:

Berme abutments of bridges Nos. 19, 46, 53, 103 and 105.

Towing-path abutment of bridges Nos. 35, 47, 72, 118 and 133. Both abutments of bridges Nos. 21, 76 and 119.

The following bridges need repairing: Nos. 43, 58, 87 and 97, and the Mechanicville life-bridge.

Abutments need repairing as follows:

Berme abutment of bridge No. 56.

Towing-path abutment of bridges Nos. 78, 89 and 137.

Both abutments of bridges Nos. 59 and 121.

On the Glens Falls feeder, bridges Nos. 4, 7, 9 and 11 should be rebuilt.

Bridge No. 11 is the wrought-iron arch bridge at Glen street, Glens Falls; it is too light for the traffic that passes over it, and should be replaced by a more substantial structure.

The berme abutment of bridge No. 3 and the towing-path abutment of bridge No. 7 need rebuilding.

Bridge No. 5 needs repairs.

Extraordinary Repairs.— Bridge on Rathbun Farm near Whitehall.

Chapter 110, *Laws of* 1893.

This act appropriated $3,000 for building the bridge, with abutments and approaches thereto, and plans have been prepared.

Approaches to Van Derwerken Farm Bridge, in the Town of Waterford.

Chapter 294, *Laws of* 1893.

This act appropriates $3,500 for building approaches to the bridge.

Plans were prepared and the work is now being done under a contract awarded to the Troy Public Works Company of Troy.

Repairing Dam across Mohawk River at Cohoes.

Chapter 643, *Laws of* 1893.

This act appropriates $90,000 for repairing or rebuilding such portions of the dam as may be necessary. The contract for making the repairs was awarded to Cunningham & Monty, of Sandy Hill, who are now engaged in prosecuting the work.

Improving 6,500 lineal feet of Champlain canal, from Wilbur's basin waste-weir southerly.

Chapter 119, *Laws of* 1893.

This act appropriates $50,000 for improving the Champlain canal.

The Troy Public Works Company of Troy were awarded the contract and are now delivering materials and making preparations for the work, which will consist of straightening, widening

and deepening the canal, and protecting the towpath bank by means of slope and vertical walls.

Rebuilding bridge No. 15, with abutments and approaches thereto.

Chapter 569, *Laws of* 1893.

This act appropriates $4,000 for replacing the present bridge by a wider one and lengthening the approaches to provide easier grades.

Plans have been prepared for this work.

Breaches.

On the night of April twenty-ninth when feeding through the Glens Falls feeder was commenced a breach occurred near Sherman's store house on the feeder.

The village sewer crosses the feeder at this place, and a man-hole was being built on the berme side of the canal about twenty feet from the bank. The earth had not yet been filled in around the man-hole. The water flowed from the dry-dock just west of here, through a waste-pipe to the man-hole, washing out the fresh mortar from between the bricks and carrying the loose earth around it through the sewer pipe under the canal, till the vertical wall on the berme side gave way and fell into the canal. As there is high ground on the berme side at this place, the damage to the canal was not great, but navigation was delayed five days.

On August second, a small break occurred in the towpath bank near the aqueduct at Schuylerville, caused by the water undermining the vertical wall and cutting out the bank behind it. Navigation was delayed one day.

On August third, a break occurred on the Glen Falls feeder, just west of the Delaware and Hudson Canal Company's railroad bridge.

A piece of the towpath bank, about eighty feet in length, was washed out to a depth of five feet below the bottom of the canal, and the canal bottom was also washed out for two or three hundred feet, and from two to three feet deep.

The bottom of the canal at this place is composed of alternate layers of clay and quicksand, varying in thickness from one to four or five inches. A small leak rapidly enlarged and the break occurred as a natural consequence. The bank was rebuilt of clay and gravel. Navigation was delayed eleven days.

On June twelfth the break in the Troy dam, referred to under the head of "Dams," occurred.

It was repaired by building two large cribs, twelve feet by thirteen feet by thirty-two feet, of twelve inches by twelve inches sawed yellow pine timbers, bolted together, filling them with stone, and overturning them into the gap in the dam. The crest was carried over these cribs and a sheeting of timber held down by stones and bolts was formed on the up-stream side of the dam. The apron was also rebuilt.

The breaks in the Cohoes dam, also referred to under the head of "Dams," were temporarily repaired with small cribs of timber and stone. Permanent repairs are now being made.

Shinnecock and Peconic Canal.

Chapter 436, *Laws of* 1890; *Chapter* 302, *Laws of* 1891; *Chapter* 356, *Laws of* 1892.

P. J. Brummelkamp, contractor, of Syracuse, completed his contract for building the substructure, and the Hilton Bridge Construction Company, of Albany, completed their contract for building the superstructure of the swing-bridge carrying the highway across the canal.

The material through which the canal was excavated, and on which this structure was built, consists principally of a light, loose and shifting sand, which is kept in an unstable condition by numerous springs, which make their appearance wherever an excavation is made. Soon after the completion of the bridge and its approaches, the pressure of the water held on the Shinnecock side by the stop-gate caused the water to undermine the foundation so as to endanger the abutments, and to cut around back of the abutments through the approaches. A dam was then constructed across the canal of bags of sand held by piles, to prevent the flow of water and to act as a temporary highway. Under

chapter 726, Laws of 1893, a contract was awarded to P. J. Brummelkamp to restore and protect the approaches to the bridge by driving long sheet piles, tongued and grooved, across the canal against the foundation, and by driving rows of piles diagonally from the abutment corners to the banks, and backing them up with stone, filling in the approaches between these rows of piles with sand.

This work is nearly completed, and the stop-gate has been removed.

Improving Saranac River.

Chapter 141, *Laws of* 1893.

This act appropriates $5,000 for removing trees and stumps from the Saranac river between the dam at Saranac Lake village and Miller's pond.

Plans were prepared in accordance with the above law.

Highways near Clinton Prison.

Chapter 312 *and* 726, *Laws of* 1893.

In accordance with the provisions of these laws, plans were prepared for grading and macadamizing roads through the village of Dannemora, and the necessary engineering during the construction of the roads has been done from this office.

Reservoir for Clinton Prison.

Plans and specifications have been prepared for the construction of a storage reservoir on the stream supplying the prison with water.

All the masonry structures on the canals, including locks, aqueducts, waste-weirs, culverts, sluices, bridge abutments, vertical walls, etc., should be examined every spring previous to the opening of navigation and repointed wherever the mortar has fallen from the joints or has loosened; and the timber and iron structures should be frequently painted.

A few years ago fishways were built at three dams on this division, all on the Hudson river, at Troy, at Mechanicville, and at Northumberland, but they are not under the supervision of this department.

Much work has been done under the direction of the Attorney-General, from this office, making surveys and giving expert testimony in cases of claims for damages along the canals. Work has also been done from this office under the direction of the Commissioner of the New Capitol.

The continuing necessity of making surveys and maps for the use of the Attorney-General, and of giving expert testimony before the Board of Claims, in defense of suits brought against the State, and the fact that only on rare occasions can members of the ordinary engineering corps be detailed to such work without neglecting equally important duties in other directions leads me to recommend that the Legislature be asked to repeat its action of last year, and to make a special appropriation for this purpose, and also to repeat the recommendation heretofore made by both the State Engineer and Surveyor and the Superintendent of Public Works that some provision be made to secure the drainage of private property damaged by leakage from the canal, which will cut off, or, at least, largely reduce what is now a fruitful source of litigation against the State and a damage to its citizens.

It is to be regretted that more liberal appropriations have not been made for the improvements that are being made on the canals, lengthening the locks of the Erie canal and straightening, widening and deepening the Champlain canal.

The widening and deepening that has already been done on the Champlain canal will not be productive of the full amount of benefit possible until the entire canal has been widened and deepened, as the loads that boats can carry is governed by the dimensions of those portions of the canal that have the least depth of water.

If future appropriations are made for continuing the improvement of the Champlain canal, I would recommend that the enlargement and other improvements be made continuous from the south end of the canal northerly.

This division has been under the charge of John P. Kelly, as division engineer, and Jay W. Clark, as resident engineer.

A statement of the engineering expenses of this division is hereto annexed showing in detail the names of persons employed, time of service and compensation of each; also, a statement showing contracts completed and final accounts rendered during the year and contracts pending on the 30th day of September, 1893.

Yours respectfully,

JOHN P. KELLY,
Division Engineer.

Statement showing names, rank, number of days and compensation of Engineers employed on the Eastern Division of the New York State Canals, together with incidental expenses during the fiscal year ending September 30, 1893.

ORDINARY REPAIRS — ERIE CANAL.

Chapter 84, Laws of 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
John P. Kelly	Division engineer	.....	$2,400 00 per year	$1,600 01	$143 03	$1,743 04
Jay W. Clark	Resident engineer	.....	2,000 00 per year	1,222 70	174 84	1,397 54
T. C Lentze	Assistant engineer in charge	65	6 00 per day	390 00	43 84	433 84
H. Feldmeier	Assistant engineer in charge	25	6 00 per day	150 00	36 44	186 44
Charles G. Witbeck	Assistant engineer in charge	10	6 00 per day	60 00	3 04	63 04
Dorlon Clark	Leveler	88	4 50 per day	396 00	41 60	437 60
Edwin Styring	Leveler	2	4 50 per day	9 00	.....	9 00
James Ryan, Jr	Rodman	172	3 50 per day	602 00	.....	602 00
C. M. Pepson	Rodman	83	3 50 per day	290 50	16 02	306 52
William J. Smith	Rodman	137	3 50 per day	479 50	26 00	505 50
J. C. Daugrey	Rodman	73	3 50 per day	255 50	6 98	262 48
T. A. Paterson	Rodman	136	3 50 per day	476 00	70 71	546 71
John H. Jones	Rodman	45	3 50 per day	157 50	2 54	160 04
John J. Allen	Chainman	76	4 00 per day	304 00	.....	304 00
B. Frederick	Chainman	94	2 50 per day	235 00	23 68	258 68
J. H. White	Chainman	13	2 50 per day	32 50	4 40	36 90
F. N. Lewis	Chainman	13	3 50 per day	45 50	.....	45 50
John H. Higgins	Chainman	9	2 50 per day	22 50	7 46	29 96
Thomas B. Kelly	Chainman	11	2 50 per day	27 50	8 30	35 80
F. D. Ryan	Chainman	18	2 50 per day	45 00	75	45 75
William E. Burke	Chainman	5	2 50 per day	12 50	3 50	16 00
						$7,426 34

Incidental expenses.

Light and fuel	$2 00	
Office rent	121 69	
Livery	29 50	
Inspection	215 00	
Labor	150 36	
Stationery	304 85	
Postage and telegraph	142 33	
Miscellaneous	156 21	
		1,121 94
		$8,548 28

Ordinary Repairs — Champlain Canal.

Chapter 84, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
John P. Kelly	Division engineer	.....	$2,400 00 per year....	$799 99	$7 40	$807 39
Jay W. Clark	Resident engineer	.....	2,000 00 per year....	219 48	36 55	256 03
James Ryan, Jr	Rodman	23	3 50 per day.....	80 50	.....	80 50
Wm. J Smith	Rodman	49	3 50 per day.....	171 50	6 91	178 41
J. C. Daugrey	Rodman	27	3 50 per day.....	94 50	.....	94 50
Thos. A. Paterson	Rodman	39	3 50 per day.....	136 50	29 19	165 69
B. Frederick	Chainman	89	2 50 per day.....	222 50	21 13	243 63
John J. Allen	Chainman	171	4 00 per day.....	684 00	7 90	691 90
						$2,518 05
Incidental expenses.						
Livery					$73 00	
Labor					20 00	
Stationery					169 56	
Postage and telegraph					61 13	
Miscellaneous					57 91	
						381 60
						$2,899 65

SCHENECTADY WALL.

Chapter 495, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
Jay W. Clark	Residing engineer	.....	$2,000 00 per year	$71 55	$7 41	$78 96
Charles G. Witbeck	Assistant engineer in charge	140	6 00 per day.....	840 00	27 40	867 40
John H. Jones	Rodman	144	3 50 per day.....	364 00	3 52	367 52
J. C. Daugrey	Rodman	74	3 50 per day.....	259 00	2 34	261 34
John H. Higgins	Chainman	13	2 50 per day.....	32 50	3 36	35 86
						$1,611 08
Incidental expenses.						
Light and fuel					$13 07	
Office rent					50 00	
Postage and telegraph					4 93	
Miscellaneous					25 92	
						93 92
						$1,705 00

LITTLE FALLS DAM.

Chapter 480, *Laws of* 1892, *Chapter* 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
Jay W. Clark	Residing engineer	.....	$2,000 00 per year	$59 73	$9 70	$69 43
H. Feldmeier	Assistant engineer in charge	29	6 00 per day.....	174 00	7 98	181 98
H. C. Landon	Assistant engineer in charge	28	6 00 per day.....	168 00	4 06	172 06
H. C. Landon	Assistant engineer in charge	61	5 00 per day.....	305 00	5 79	310 79
Fred. Lewis	.....	26	3 50 per day.....	91 00	.....	91 00
Fred. Lewis	.....	43	2 50 per day.....	107 50	.....	107 50
						$932 76
Incidental expenses.						
Miscellaneous						1 65
						$934 41

EXTRAORDINARY REPAIRS, LENGTHENING LOCKS, ERIE CANAL.

Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
John P. Kelly	Division engineer	.....	$2,400 00 per year	.....	$2 13	$2 13
T. C. Lentze	Assistant engineer in charge	17	6 00 per day	$102 00	.....	102 00
Edwin Styring	Leveler	13	4 50 per day	58 50	6 94	65 44
Wm. J. Smith	Rodman	10	3 50 per day	35 00	.....	35 00
James Ryan, Jr.	Rodman	4	3 50 per day	14 00	4 04	18 04
B. Frederick	Chainman	4	2 50 per day	10 00	4 04	14 04
John J. Allen	Chainman	26	4 00 per day	104 00	.....	104 00
						$340 65
Incidental expenses.						
Stationery					$10 00	
Labor					72 10	
Livery					52 00	
Postage and Telegraph					25	
Miscellaneous					2 25	
						136 60
						$477 25

EXTRAORDINARY REPAIRS — CHAMPLAIN CANAL.

Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
John R. Kelly	Assistant engineer in charge	17	$6 00 per day	$192 00	$31 93	$223 93
T. C. Leutze	Assistant engineer in charge	4	6 00 per day	24 00	.....	24 00
Dorlon Clark	Leveler	76	4 50 per day	342 00	25 50	367 50
Reeves Smith	Leveler	3	4 50 per day	13 50	6 08	19 58
J. C. Daugrey	Rodman	70	3 50 per day	245 00	7 62	252 62
Wm. J. Smith	Rodman	31	3 50 per day	108 50	60	109 10
D. Cornell	Rodman	33	3 50 per day	115 50	85	116 35
R. A. Barrett	Chainman	66	2 50 per day	165 00	75	165 75
Edward Hierlihy	Chainman	31	2 50 per day	77 50	75	78 25
R. E. Johnson	Chainman	58	2 50 per day	145 00	1 45	146 45
John J. Allen	Chainman	40	4 00 per day	160 00	.....	160 00
						$1,663 53
Incidental expenses						
Livery					$143 50	
Office rent					26 00	
Postage and telegraph					70	
Miscellaneous					35 75	
						205 95
						$1,869 48

DEEPENING ERIE CANAL.

Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
J. W. Clark	Resident engineer	.....	$2,000 per year	$21 96	.....	$21 96

REPAIRING COHOES DAM.

Chapter 643, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of Compensation	Salary.	Travel.	Totals.
Jay W. Clark	Resident engineer	.....	$2,000 00 per year	$147 15	$21 95	$169 10
John R. Kaley	Assistant engineer in charge	84	6 00 per day	504 00	35 54	539 54
T. C. Leutze	Assistant engineer in charge	12	6 00 per day	72 00	2 90	74 90
Dorlon Clark	Leveler	44	4 50 per day	198 00	13 15	211 15
Wm. J. Smith	Rodman	18	3 50 per day	63 00	12 05	75 05
J. C. Daugrey	Rodman	50	3 50 per day	175 00	16 10	191 10
C. M. Pepson	Rodman	26	3 50 per day	91 00	31 70	122 70
Edward Hierlishy	Chainman	10	2 50 per day	25 00	14 70	39 70
R. E. Johnson	Chainman	38	2 50 per day	95 00	3 20	98 20
R. A. Barrett	Chainman	9	2 50 per day	22 50	12 10	34 60
B. Frederick	Chainman	26	2 50 per day	65 00	27 95	92 95
Wm. Burke	Chainman	26	2 50 per day	65 00	17 50	82 50
Thomas B. Kelly	Chainman	26	2 50 per day	65 00	17 50	82 50
						$1,813 99
Incidental expenses.						
Stationery					$12 00	
Postage and telegraph					69	
Rent					4 50	
Miscellaneous					33 50	
						50 69
						$1,864 68

Dredging Albany Basin.

Chapter 567, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
J. W. Clark	Resident engineer	.....	$2,000 00 per year	$54 90	.....	$54 90
T. C. Lentze	Assistant engineer in charge	2	6 00 per day	12 00	.....	12 00
Chas. G. Whitbeck	Assistant engineer in charge	13	6 00 per day	78 00	$1 64	79 64
Reeves Smith	Leveler	37	4 50 per day	166 50	2 92	169 42
C. M. Pepson	Rodman	19	3 50 per day	66 50	5 19	71 69
Wm. J. Smith	Rodman	30	3 50 per day	105 00	3 45	108 45
Douglas Cornell	Rodman	14	3 50 per day	49 00	3 46	52 46
Douglas Cornell	Chainman	13	2 50 per day	32 50	.....	32 50
Wm. Burke	Chainman	15	2 50 per day	37 50	.....	37 50
Thos. B. Kelly	Chainman	34	2 50 per day	85 00	.....	85 00
Jno. A. Sheehan	Chainman	13	2 50 per day	32 50	1 60	34 10
T. D. Lehaney	Chainman	24	2 50 per day	60 00	.....	60 00
						$797 66
Incidental expenses.						
Stationery					$35 00	
Labor					12 25	
Miscellaneous					58 11	
						105 36
						$903 02

IMPROVING SARANAC RIVER.

Chapter 141, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
Reeves Smith	Leveler	9	.....	$40 50	$30 11	$70 61
Wm. J. Smith	Rodman	6	.....	21 00	27 46	48 46
						$119 07
Incidental expenses.						
Labor						39 50
						$158 57

REPAIRING SCHOHARIE CREEK AND UPPER AND LOWER MOHAWK AQUEDUCTS.

Chapter 5, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
T. C. Lentze	Assistant engineer in charge	6	$6 00 per day	$36 00	$4 34	$40 34
Incidental expenses.						
Labor					$40 00	
Livery					5 00	
						45 00
						$85 34

ABATING NUISANCE — CHEMUNG CANAL AND FEEDER.

Chapter 725, *Laws of* 1893.

NAME.	Rank.	Number of days	Rate of compensation.	Salary.	Travel.	Total.
Jno. R. Kaley	Assistant engineer in charge	4	$6 00 per day	$24 00	.....	$24 00
Reeves Smith	Leveler	.....	4 50 per day	103 50	$18 35	121 85
						$145 85

SHINNECOCK AND PECONIC CANAL.

Chapters 356, 726, *Laws of* 1892-93.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
Jay W. Clark	Resident engineer	.....	$2,000 00 per year	$147 93	$141 53	$289 46
T. C Lentze	Assistant engineer in charge	8	6 00 per day	48 00	.....	48 00
Dorlon Clark	Leveler	52	4 50 per day	234 00	55 00	289 00
Claude S. Haynes	Leveler	112	4 50 per day	504 00	16 73	520 73
J. H. White	Chainman	26	2 50 per day	65 00	7 95	72 95
B. Frederick	Chainman	4	2 50 per day	10 00	19 06	29 00
						$1,249 20
Incidental expenses.						
Postage and telegraph					$7 22	
Labor					141 00	
Office rent					29 00	
Miscellaneous					10 00	
						187 22
						$1,436 42

STATE BOARD OF CLAIMS.

Chapter 356, *Laws of* 1892, *and Chapter* 726, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
H. T. Beach	Engineer	19	$10 00 per day	$190 00	$13 15	$203 15
T. C. Lentze	Assistant engineer in charge	35	6 00 per day	210 00	102 54	312 54
James Ryan, Jr	Rodman	26	3 50 per day	91 00	17 36	108 36
John H. Jones	Rodman	25	3 50 per day	87 50	49 12	136 62
B. Frederick	Chainman	16	2 50 per day	40 00	52 43	92 43
R. A. Barritt	Chainman	26	2 50 per day	65 00	10 21	75 21
Geo. R. Mann	Chainman	8	2 50 per day	20 00	18 71	38 71
T. B. Kelly	Chainman	1	2 50 per day	2 50	4 36	6 86
						$973 88
Incidental expenses.						
Livery					$56 00	
Labor					26 00	
Postage and telegraph					5 38	
Miscellaneous					37 06	
						124 44
						$1,098 32

EXAMINATIONS AND MAPS.

Chapter 356, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
T. C. Lentze	Assistant engineer in charge	7	$6 00 per day	$42 00	$5 06	$47 06
C. H. Flanigan	Leveler	79	4 50 per day	355 50	658 89	1,014 39
T. A. Paterson	Leveler	27	4 50 per day	121 50	13 54	135 04
T. A. Paterson	Rodman	26	3 50 per day	91 00	.....	91 00
John H. Higgins	Chainman	53	2 50 per day	197 50	.....	197 50
						$1,484 99

SURVEY, CHEMUNG CANAL AND FEEDER.

Chapter 435, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Total.
John R. Kaley	Assistant engineer in charge	10	$6 00 per day	$60 00	$60 00
D. M. Teller	Rodman	32	3 50 per day	112 00	112 00
					$172 00
Incidental expenses					
Postage and telegraph				$ 33	33
					$172 33

EXAMINATION TROY AND COHOES DAMS.

Chapter 155, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
John P. Kelly	Division engineer	.....	.....	.....	$9 90	$9 90
Jay W. Clark	Resident engineer	.....	$2,000 00 per year	$87 42	19 61	107 03
T. C. Lentze	Assistant engineer in charge	21	6 00 per day.....	126 00	24 43	150 43
H. Feldmeier	Assistant engineer in charge	1	6 00 per day.	6 00	56	6 56
Dorlon Clark	Leveler	1	4 50 per day	4 50	1 23	5 73
William J. Smith	Rodman	14	3 50 per day.....	49 00	12 03	61 03
J. C. Daugrey	Rodman	22	3 50 per day.....	77 00	22 30	99 30
C. M. Pepson	Rodman	58	3 50 per day.....	203 00	65 37	268 37
B. Frederick	Chainman	77	2 50 per day.....	192 50	60 75	253 25
William Burke	Chainman	10	2 50 per day.	25 00	6 26	31 26
John H. Higgins	Chainman	9	2 50 per day.....	22 50	7 59	30 09
						$1,022 95
Incidental expenses.						
Postage and telegraph					$2 26	
Labor					286 95	
Miscellaneous					505 93	
						795 14
						$1,818 09

The foregoing tables are summarized as follows:

ORDINARY REPAIRS.		
Erie canal, chapter 84, Laws 1892	$8,548 28	
Champlain canal, chapter 84, Laws 1892	2,899 65	
		$11,447 93
EXTRAORDINARY REPAIRS.		
Strengthening and protecting berme bank, near Schenectady, chapter 495, Laws 1892	$1,705 00	
Constructing stone dam at Little Falls, N. Y., chapter 480, Laws 1892, chapter 119, Laws 1893	934 41	
Lengthening lock, Erie canal, chapter 119, Laws 1893	477 25	
Improving Champlain canal, chapter 119, Laws 1893	1,869 48	
Deepening Erie canal, chapter 119, Laws 1893	21 96	
Repairing dam at Cohoes, N. Y., chapter 643, Laws 1893	1,864 68	
Dredging Albany basin, chapter 567, Laws 1893	913 02	
Improving Saranac river, chapter 141, Laws 1893	158 57	
Repairing Schoharie creek and upper and lower Mohawk aqueducts, chapter 5, Laws 1893	85 34	
Abating nuisance, Chemung canal and feeder, chapter 726, Laws 1893	145 85	
Shinnecock and Peconic canal, chapter 356, Laws 1892, chapter 726, Laws 1893	1,436 42	
		9,601 98
SPECIAL SURVEYS.		
Making surveys and maps for use of the State Board of Claims, chapter 356, Laws 1892, chapter 726, Laws 1893	$1,098 32	
Making surveys and maps required by State Engineer and Surveyor, chapter 356, Laws 1892	1,484 99	
Making survey Chemung canal and feeder, chapter 435, Laws 1892	172 33	
Examination Troy and Cohoes dams, chapter 155, Laws 1892	1,818 09	
		4,573 73
Total		$25,623 64

TABLE OF CONTRACTS ON EASTERN DIVISION COMPLETED DURING THT YEAR ENDING SEPTEMBER 30, 1893.

ERIE CANAL.

NAME OF CONTRACTOR.	Date of contract.	Character of work.	LEGISLATIVE ACT.		Appropriation.	Engineer's estimate at contract price.	Final estimate.	Remarks.
			Chapter.	Laws.				
Ira Parker	June 14, 1893	Repairs to Lock No. 7, Erie canal	84	1892	.....	$6,204 00	$5,026 70	
John Twomey	Oct. 26, 1892	Strengthening and protecting berme bank near Schenectady.	495	1892	$20,000 00	13,723 82	13,593 37	
SHINNECOCK AND PECONIC CANAL.								
P. J. Brummelkamp	July 25, 1892	Substructure of swing bridge over Shinnecock and Peconic canal	356	1892	10,000 00	6,064 00	6,018 22	Appropriation was for substructure, superstructure and dredging.
Hilton Bridge Const'n Co.	.....	Superstructure of swing bridge over Shinnecock and Peconic canal	356	1892	.....	1,380 00	1,380 00	

TABLE OF CONTRACTS PENDING ON THE EASTERN DIVISION SEPTEMBER 30, 1893.

ERIE CANAL.

NAME OF CONTRACTOR.	Date of contract.	Character of work.	Appropriation.	LEGISLATIVE ACT.		Engineers' preliminary estimate.	Engineers' estimate at contract price.	Payments to date.
				Chap.	Year.			
John J. Hallock	July 3, 1893	Lengthening at the foot berme lock No. 19	$38,000 00	119	1893	$31,703 85	$29,459 80	.....
Buffalo Bldg. & Iron W'ks Co..	June 8, 1893	Constructing 35 bents for upper and lower Mohawk aqueducts	75,000 00	5	1893	7,281 75	8,610 00	$3,740 00
Rapp & Co.	July 23, 1892	Constructing a stone dam across the Mohawk river at Little Falls, N. Y.	19,000 00	480 119	1892 1893	12,395 00	9,964 00	7,710 00
Cunningham & Monty	Aug. 4, 1893	Repairing dam across the Mohawk river at Cohoes, N. Y	90,000 00	643	1893	81,600 00	83,389 00	12,223 00
Wm. B. Wemple's Sons	July 15, 1893	Construction of machinery for drawing boats into lock No 19	38,000 00	119	1893	1,100 00	1,200 00	.....
Hilt & Johnson	June 22, 1893	Constructing substructure of lift-bridge at Water street, Albany	12,000 00	394	1892	1,746 80	2,551 75	.....
Hilt & Johnson	June 22, 1893	Constructing superstructure of lift-bridge at Water street, Albany		394	1892	8,900 00	8,261 49	.....
P. W. Myers	Aug. 18, 1893	Dredging the Albany basin	20,000 00	567	1893	17,500 00	11,900 00	.....

CHAMPLAIN CANAL.

Troy Public Works Co	Sept. 25, 1893	Improving 6,500 feet of Champlain canal from Willars' basin waste-weir southerly	50,000 00	119	1893	41,809 75	35,444 25	.....
Troy Public Works Co	Sept. 25, 1893	Constructing approaches to Van Derwerken farm bridge at Waterford, N. Y	3,500 00	294	1893	2,856 00	2,748 00	.....

SHINNECOCK AND PECONIC CANAL.

P. J. Brummelkamp	July 7, 1893	Restoring and protecting the approaches to the swing bridge over the Shinnecock and Peconic canal	10,000 00	726	1893	10,633 50	10,869 16	7,650 00

APPENDIX C.

REPORT

OF THE

DIVISION ENGINEER

OF THE

MIDDLE DIVISION

FOR THE

YEAR ENDING SEPTEMBER 30, 1893.

APPENDIX C.

SYRACUSE, N. Y., *October* 1, 1893.

Hon. MARTIN SCHENCK, *State Engineer and Surveyor:*

I have the honor to submit the annual report of the middle division for the fiscal year ending September 30, 1893:

	Miles.	Total
This division comprises that portion of the Erie canal lying between the east lines of Oneida county and the south lines of Wayne county..	97.02	
	97.02	
Also the following unabandoned lateral canals:		
Oswego canal, from Syracuse to Oswego.....	37.78	
North and south side-cuts and slips at Salina..	2.02	
Slips at Liverpool, Oswego canal.....	0.25	
Baldwinsville side-cut	0.59	
Cayuga and Seneca canal, Montezuma to Cayuga and Seneca lakes	22.99	
Black River canal, Rome to Lyons Falls	35.52	
Old Oneida Lake canal, Higginsville to first lock	1.05	
Chenango canal, from Erie canal to Fayette street, ...	0.05	
Chemung canal, lake level	2.53	
		199.80

River Improvements.

Black river, Lyons Falls to Carthage	42.50	
Onondaga outlet, Onondaga lake to Seneca river	0.75	
Oneida river, Three River Point to Brewertown and Oneida lake	20.00	

	Miles.	Total.
Seneca river towing-path, Mud lock to Baldwinsville	5.83	
Seneca river, Baldwinsville to Jack's Reefs (not used)	11.75	
Ithaca inlet, Cayuga lake to Ithaca	2.05	
Seneca lake outlet, from Cayuga and Seneca canal to Seneca lake	0.17	
		83.05

Navigable Feeders.

Limestone creek feeder, Erie canal to Fayetteville	0.83	
Butternut creek feeder, Erie canal to feeder dam above Dunlap's mills	1.67	
Camillus feeder, Erie canal to Camillus	1.04	
Delta feeder, foot of lock No. 9, Black River canal to Delta	1.40	
Black river feeder, Booneville to head of pond at Forestport	11.29	
		16.23
Total		299.08

Artificial Feeders — Not Navigable.

	Miles.
Chenango canal, summit level	5.31
Leland pond feeder	0.31
Madison brook feeder	2.99
West branch feeder	5.83
Bradley's brook feeder	0.67
Hatch's lake feeder	0.23
Kingsley brook feeder	1.87
Oriskany creek feeder	0.53
Mohawk feeder to Rome	0.03
Oneida creek feeder	2.91
Cowassalon creek feeder	0.40
Chittenango creek feeder	0.28
Cazenovia lake outlet (improved)	0.51

	Miles.
Tioughnioga river feeder	1.00
De Ruyter reservoir outlet	0.12
Orville feeder (unnavigable portion)	0.55
Camillus feeder (unnavigable portion)	0.65
Carpenter brook feeder	0.18
Skaneateles creek feeder	0.09
Putnam brook feeder	0.20
Centerport feeder	0.18
Owasco creek feeder (including 859 feet of iron pipe)	2.10
Lansing Kill feeder	1.80
Sugar river feeder	0.14
New outlet of third Bisby lake	0.06
New outlet of Canachagala lake	0.16
Total	29.10

Sources of Water Supply.

The canals upon this division are supplied with water from the following named sources:

Erie Canal — Frankfort and Rome levels.

(Three and three hundred and fifty-six thousandths miles of Frankfort level on middle division. The Rome level, lock No. 46 to lock No. 47 = 55.957 miles.)

	Cubic fee per minute.
Leland's pond, Madison brook reservoir, Eaton brook reservoir, Bradley brook reservoir, Hatch's lake, Kingsley brook reservoir and Oriskany creek, feed through the Chenango canal, Oriskany creek and Oriskany creek feeder into the Rome level, six miles west of lock No. 46	6,000
Mohawk river, Black river, Forestport pond, White lake reservoir, Chub lake, Sand lake, first, second and third Bisby lakes, Woodhull reservoir, Twin lakes, South branch reservoir, North branch reservoir, Canachagala lake, feed through the Rome feeder and Black river canal into the Rome level at Rome, fourteen miles west of lock No. 46	13,000

	Cubic feet per minute.
Oneida creek enters canal through feeder, thirty miles west of lock No. 46	1,000
Cowassalon creek enters canal through feeder thirty-one and a half miles west of lock No. 46	200
Cazenovia lake reservoir (for 100 days), Erieville reservoir (for 100 days), and Chittenango creek enter canal through Chittenango creek feeder, forty-one and a half miles west of lock No. 46	5,641
DeRuyter reservoir (for 100 days), enters canal through Limestone creek (Fayetteville) feeder, fifty miles west of lock No. 46	3,891
Limestone creek (natural flow) enters canal through Limestone creek (Fayetteville) feeder, fifty miles west of lock No. 46	500
Jamesville reservoir (for sixty days) enters canal through Orville feeder, fifty-two miles west of lock No. 46	2,000
Butternut creek (natural flow) enters canal through Orville feeder, fifty-two miles west of lock No. 46	500
Total	32,732

Short level, from lock No. 47 to No. 48 = .188 of a mile; fed from Rome level.

Mile level, from lock No. 48 to 49 = .714 of a mile; fed from Rome level through short level.

Syracuse level, from lock No. 49 to 50 = 5.014 miles fed from Rome and Jordan levels.

Jordan level, from lock No. 50 to 51 = 14.903 miles.

	Cubic feet per minute.
Otisco lake reservoir feeds through Camillus feeder into the canal four miles west of lock No. 50	5,146
Nine-mile creek (natural flow), fed through Camillus feeder into canal, four miles west of lock No. 50	800

	Cubic feet per minute.
Carpenter brook enters canal through feeder, ten miles west of lock No. 50	200
Skaneateles lake reservoir feeds into canal at Jordan, thirteen miles west of lock No. 50	8,766
Total	14,912

Port Byron level, from lock No. 51 to 52 = 7.793 miles; from Jordan level, through lock No. 51.

Putnam brook feeder, at Weedsport	200
Owasco lake reservoir, through feeder at Port Byron	4,033
Total	4,233

Montezuma level, from lock No. 52 to Wayne county — 9.098 miles; from Port Byron level, through lock No. 52 and from Lake Erie	4,000

Oswego Canal.

Erie canal, at Syracuse	10,000
Seneca river	54,000
Oneida river	20,000
Total	84,000

Cayuga and Seneca Canal.

Seneca lake	18,000
Erie canal at Montezuma	4,000
Total	22,000

Summary of Water Supply Measured.

Erie Canal.

	Cubic feet per minute.	
	Amounts.	Totals.
Frankfort and Rome levels	32,732	
Jordan level	14,912	
Port Byron level	4,233	
		51,877

Oswego Canal.

	Cubic feet per minute. Amounts.	Totals.
From Senecta river	54,000	
From Oneida river	20,000	
		74,000
Cayuga and Seneca Canal.		
From Seneca lake	18,000	
		18,000
		143,877

BLACK RIVER CANAL AND RIVER IMPROVEMENT.

CANALS.	Elevation in feet above tide water.	Surface area in acres.	Average area in acres.	Average depth in feet.	Capacity in cubic feet.
White Lake reservoir (not used)	.....	.....	296	5	64,468,800
Chub Lake reservoir (approximate)	1,599	.....	200	4	34,848,000
Sand Lake reservoir	.....	.....	306	15	199,940,400
Woodhull reservoir (two years in filling).	1,854	1,236	1,118	18	876,601,440
First, Second and Third Bisby lakes (approximate)	.....	.....	.....	3½	40,000,000
Canachagala lake (approximate)	.....	.....	320	4	55,756,800
North Lake reservoir (can fill twice yearly)	1,821	423	277	28	337,851,360
South Lake reservoir	2,019	518	372	26	421,312,320
Twin Lake reservoir (approximate)	.....	.....	175	8	60,984,000
Forestport pond	.....	.....	.....	.....	.....
Mohawk river, through Delta feeder	.....	.....	.....	.....	.....
Pond above Lyon's Fall dam	.....	.....	.....	.....	.....
River Improvements.					
Forge pond	.....	.....	.....	.....	.....
First lake of the Fulton chain	1,691	.....	.....	.....	.....
Second lake of the Fulton chain	1,691	.....	.....	.....	.....
Third lake of the Fulton chain	1,691	.....	.....	.....	.....
Fourth lake of the Fulton chain	1,691	.....	.....	.....	.....
Fifth lake of the Fulton chain	1,691	9	.....	.....	.....
Sixth lake of the Fulton chain	1,772	109	.....	.....	.....
Seventh lake of the Fulton chain	1,772	867	.....	.....	.....
Eighth lake of the Fulton chain	1,776	309	.....	.....	.....
Black river	.....	.....	.....	.....	.....
Moose river	.....	.....	.....	.....	.....
Beaver River reservoir	.....	.....	.....	.....	.....
			.....	.....	.....

There has been no change in the water supply during the fiscal year.

Navigation.

All the canals of this division except that part of the Black river canal between Lyons Falls and Boonville were closed December 5, 1892, and opened May 5, 1893. The opening of that portion of the Black river canal mentioned above, was delayed until July 7, 1893, owing to the unfinished condition of lock No. 76.

The following disasters occurred during the year:

On May 16, 1893, a bad leak was discovered at the second culvert west of Canastota. The leak was stopped by the crew of the State scow, without causing any delay to navigation.

On July 29, 1893, a leak was discovered in the berme-bank of the Erie canal, about one-third of a mile west of Memphis bridge. This leak was caused by muskrats digging through the bank and was stopped without delaying navigation. On August 16, 1893, a boat loaded with clay sunk diagonally across the canal near Butternut creek aqueduct causing a delay to navigation of sixteen hours.

Water Supply.

No difficulty has been experienced during the past season, in regard to water. The new Forrestport reservoir now under construction, will ensure sufficient water supply to maintain the Rome level at its standard height.

Improvement of Channel.

Prior to the opening of navigation the canal was bottomed out, and sand bars removed where necessary, from the eastern end of the division, west to Bradley's road bridge; through Oriskany to Clark's farm bridge; through the city of Rome and west to Fort Bull; and at various places from New London to Canastota. Bars have been removed from the prism at Memphis, Jordan, Paddock's brook lock No. 51, Weedsport, lock No. 52, Port Byron and Montezuma.

Since the opening of navigation, the State dredge has been employed continuously removing the deposits on the berme side of prism, at various places between New London and Canostota.

On the lateral canals but little cleaning out has been done, and the condition of the channels grows yearly worse. On the Black River canal receivers should be built in the various streams which empty into the canal, to receive the extensive deposits of shale which accompany every heavy rain. A liberal appropriation should be made for restoring the prism of the Oswego canal to its original condition.

Structures.

On the Erie canal and its feeders, the structures are generally in good condition, with the exception of bridges. All the wooden bridges should be replaced with wrought-iron ones, as fast as worn out. The Whipple cast-iron arch truss bridges in the cities of this division are not suitable for the present heavy traffic, and should be replaced by wrought-iron ones.

On the Oswego canal and its side-cuts, the structures are in fair condition, with the exception of the aprons to the Oswego and Battle Island dams.

The Cayuga and Seneca canal extends from the Erie canal at Montezuma to Geneva, at the foot of Seneca lake, with a branch from Mud lock to Cayuga, at the foot of Cayuga lake, thus giving the people of Watkins, at the head of Seneca lake, and of Ithaca, at the head of Cayuga lake, a waterway by the Cayuga and Seneca and Erie canals, to Albany and New York. The structures are in fair condition.

The Black River canal needs immediate attention on the part of the State to save it from general decay. The failure of the Legislature last winter to appropriate money to improve the canal has been sorely felt by all the boatmen along its line. The life of the Erie canal depends on this lateral feeder. The Black River canal is the only means of conducting the waters of the North Woods reservoirs to the Erie canal.

Ditching and Draining.

Appropriations should be made for constructing or reopening drainage ditches to carry off the leakage from the canals. The failure to provide for this leakage has involved the State in continual litigation, with the result that the amount annually expended by the State in payment of damages from this cause largely exceeds what it would cost to construct and maintain suitable ditches. Some work was done this year toward cleaning out the State ditches at Manlius Center and Kirkville, but the work was limited by the small appropriation. An annual appropriation should be made for the work.

Special Surveys.

A special appropriation should be made for a re-survey of the bridges on this division. The record of bridges made in 1876 has outgrown its usefulness, owing to the many new structures which have been erected since that date.

Ordinary Repairs Made During the Present Fiscal Year — Erie Canal.

Aqueducts.

No. 2, Oriskany.— An entire new trunk was put in just before the opening of navigation. All masonry was repointed and the entire structure placed in good condition.

No. 5, Limestone.— Aqueduct was pointed up on the berme side this spring, and is now in good condition.

No. 12, Seneca river aqueduct.— Three spans were renewed this spring. Seven spans should be rebuilt next spring, before the opening of navigation.

Bridges.

The following bridges were replanked: Broad street, Utica; John street, Utica; Genesee street, Utica; Hotel street, Utica; Whitesboro street, Utica; one roadway of James street, Rome; one roadway of Washington street, Rome; Main street, New London; towpath bridge, at Durhamville; feeder bridge, at Durhamville; feeder bridge, at Oriskany, and Thompson's Landing.

Nos. 2, 4, 8, 9, 14, 35, 36, 37, 38, 41 and 48, replanked and new joists.

The lift-bridges at John and Hotel streets, Utica, and at West street, Syracuse, were overhauled and put in good working order during the spring repairs.

The foundation of Broadway foot-bridge, Utica, was raised and columns repaired.

Pool's Brook bridge and the bridge over the old Oneida Lake canal have been rebuilt.

New trusses for Shollhammer's bridge have been framed, ready for erection.

Banks.

About 60,000 cubic yards of gravel and cinders were used in raising and improving towpath during present season.

About 1,000 cubic yards of field stone were used for loading banks.

Culverts.

Two arches of Starch Factory creek culvert have been cleaned out. The third arch should be cleaned.

Feeders.

Oriskany, Oneida, Cowassalon and Port Byron feeders have been cleaned of eel grass. A new bulkhead was placed in Chittenango feeder this summer and the creek above the same was cleared of brush and sediment. A new bulkhead for Limestone feeder dam has been framed, ready for erection.

Docking.

About 6,000 lineal feet of docking timber was renewed.

Locks.

Lock No. 46 was repaired and put in good condition. Two new paddles were placed in the gates at lock No. 48, and the culvert leading from the lock machinery was overhauled and cleaned out. Four new lower gates have been framed for lock No. 49.

Walls.

All slope walls were repaired when found necessary. Four hundred and fifty lineal feet of vertical wall was rebuilt in the city of Utica. The vertical wall at the foot of lock No. 47 was rebuilt. One hundred and fifty lineal feet of vertical wall on the berme side of canal near Burdick's bridge was relaid this spring.

Reservoirs.

The slope wall, 1,200 feet long, on the inner face of the earth dam at DeRuyter reservoir has been seriously damaged by the action of the waves and is now being rebuilt.

Oswego Canal.

Bridges.

Pratt street bridge, Fulton, has been rebuilt.

The following bridges have been repaired during the past year: James street, Willow street, Division street, Bear street, Park street, Spring street, Third North street and Fifth North street, at Syracuse; towpath bridge at Greenpoint, outlet bridge near Mud lock, Bridge street; bridge at Phoenix, Phoenix change-bridge and Hubbard street bridge at Oswego.

Banks.

The towpath has been raised and repaired on levels Nos. 5, 11, 13, 14, 15 and 16. The berme-bank has been strengthened on levels Nos. 6, 8, 11 and 13, with spalls.

Bulkheads and waste-weirs.

A new waste-weir has been built on level No. 7.

Docking.

The piers on both sides of lower end of Oak Orchard lock have been rebuilt. Four hundred and ten lineal feet of docking four feet high has been built at the approach to Three River point bridge. About 4,000 lineal feet of docking has been laid from Three River point to Oswego.

Locks.

Locks Nos. 1, 2, 3 and 4 have been repaired.

Lock No. 5 had two new lower gates.

Gates in locks Nos. 9, 11, 17, 18 and guard-locks Nos. 4 and 5 have been raised and recleated.

New gates have been placed in lock No. 16; two new upper gates at lock No. 14; one new uppergate at guard-lock No. 5, and one new lower gate at lock No. 7. Lower gates for Caughdenoy lock are now being framed.

Lock No. 6, had four new balance beams; Oak Orchard lock had three new balance beams. Lock No. 12 had two new balance beams, and lock 15 had one new balance beam.

A portion of the west wall of the Varrick canal lock at Oswego has been relaid.

Sluices.

Eight new sluices have been built on the Seneca river towing-path.

Cayuga and Seneca Canal.

Bridges.

Towpath bridges Nos. 1, 2 and 10 have been replanked. Bridge street bridge at Seneca Falls and Ransom's road bridge have been replanked.

Piers.

The pier at Cayuga has been repaired and is now in good condition.

Black River Canal.

Aqueducts.

Willis creek, Stringer creek and Lansingkill aqueducts were pointed with cement and new plank inserted where necessary.

Bridges.

Bridges Nos. 39 and 43 were repaired.

Three spans and the approach of the river bridge at Lyons Falls were replanked.

Bridges Nos. 58 and 60 were rebuilt entire.

New abutments were placed under bridges Nos. 44 and 50.

Bonfield and Lobdell bridges on the Forestport feeder have been rebuilt and one new bridge was built at North lake reservoir.

The bridges on section No. 1 of this canal have new abutments and were replanked when necessary.

Locks.

Foundation was replanked in locks No. 6, 9, 10, 11, 13, 28, 31, 32, 33, 77, 87, 88 and 89.

Sides of Nos. 18, 40 and 59 were dressed off to allow boats to pass through.

Two miter-sills were inserted in Nos. 2, 26 and 28.

One miter-sill was inserted in Nos. 7, 10, 32, 33, 38, 81, 96, 97, 98, 99, 104, 106, and 108.

Bottoms of Nos. 77, 87, 88 and 89, were concreted.

Locks Nos. 77 to 109, were repointed to prevent leaking.

Nos. 43 and 102 had two new gates.

No. 103 had four new gates.

Nos. 7, 11, 13, 18, 22, 25, 27, 36, 75, 86 and 96, had one new gate each.

Sluice around combined locks Nos. 87 to 90 was rebuilt.

The sluices around locks from Rome to Booneville are in good condition.

Waste-weirs.

One at Booneville, and two on the Forestport feeder were pointed during the spring repairs.

Dredging.

The dredge force has been employed since June first, cleaning out river lock, and dredging river where necessary.

Dams.

Water undermined the west wall of Lansingkill dam, near lock No. 34, during last winter. The dam was then thoroughly repaired and replanked.

Extraordinary Repairs Made During the Present Fiscal Year. Appropriations of 1892.

Chapter 249.

Providing for the repairing of the State embankment at Sherburne; designed to turn Mad Brook from its original channel. This work was let August 30, 1892. An embankment was built on the east side of brook from Chapel street, Sherburne, to the corporation line on the north, a distance of about 2,500 feet. This embankment was twelve feet wide on top, with side slopes of one and one half to one in front and two to one in rear. The inner face of embankment was protected by a slope wall resting on a timber and sheet-piling foundation.

Chapter 601.

Providing for a construction of an iron bridge over the Erie canal at South Madison street, Rome. This work was let July

20, 1892, and completed in accordance with the law. The abutments and approaches for this bridge were constructed by the city of Rome.

Chapter 610.

Providing for the construction of a swing or hoist-bridge over the Erie canal from Mulberry street to Lock street, Syracuse. Under this law $14,000 were appropriated; $7,000 of which were to be paid by the city of Syracuse and the balance by the State. Plans were adopted by the canal board, providing for the construction of a hoist-bridge, operated by water power, furnished by the city of Syracuse. The contract for the substructure of this bridge was let to Brumelkamp & Lane, of Syracuse, April 14, 1892, and the work has been completed. The contract for the superstructure was let to W. H. Shephard & Sons Bridge Co., of Havana, April 14, 1892, and the work is now in progress.

Oswego Canal.

Chapter 229.

Hoist-bridge over the Oswego canal at North Salina street, Syracuse. This bridge is located near the head of lock No. 1, Oswego canal, and operated by water power generated by a turbine wheel, the tail-race of which discharges into the lower level of lock No. 1. The wheel pit and bridge substructure were constructed by J. J. Hallock, of Syracuse. The superstructure and machinery for operating the same were constructed by the Groton Bridge and Manufacturing Co., of Groton, N. Y. One-half the expense of this bridge was paid by the People's Railroad Co., of Syracuse, and the balance by the State.

Black River Canal.

Chapter 271.

Providing for the construction of a stone wall on the west side of the Black River canal in the city of Rome, from Stanwix street to the outlet of the waste-weir of lock No. 3. A vertical wall 150 feet long and twelve feet high, laid dry, was built by contractor W. J. Cramond, of Rome. The embankment behind this wall was put in by the city of Rome.

Chapter 469.

Raising dam at Beaver river, Stillwater. Beaver River dam was built in 1886. The present law calls for raising this dam five feet. The contract was let August 30, 1892, to F. Louis Faass & Co., of Utica, and the work has been completed in accordance with the contract.

Chapter 494.

Providing for the completion of the reservoir on the Black river above Forestport pond. The masonry for the bulkhead and abutments, with the embankments connecting them with natural ground, were completed under chapter 274, Laws of 1889, by Contractor Phillip McGuire, of Forestport, N. Y. Contracts calling for the completion of the dam and for raising roads and bridges within flow-line, were let July 20, 1892, to Beckwith & Quackenbush. The contractors have completed their contract for raising roads and bridges. Work on the dam was delayed at the beginning of the season and so will not be completed this year. An additional appropriation of $1,500 should be obtained to complete the slope wall protection at Dustin's and Park's bridges.

Miscellaneous.

Chapter 234.

Dredging Cayuga inlet. Plans were submitted last year but the work has not yet been let.

Chapter 356.

Board of claims surveys. This law appropriates $5,000 for surveys and maps for the use of the Attorney-General in cases before the Board of Claims, arising on account of the canals of the State. Of this amount $264.99 has been expended on the Erie canal; twelve dollars and forty-six cents on the Black River canal, and $3,522.55 on the Oswego canal and river. Claims amounting to several hundred thousand dollars have been filed against the State for damages arising from high water on the Oswego river. In order to properly defend the State against these claims, it has been necessary to make extensive surveys

and complete maps of the lands in question. This work has been in charge of Mr. Henry T. Beach, of Syracuse, formerly division engineer of this division. The field work has been completed and the maps are now being prepared.

Chapter 471.

Provides for the construction of a spillway in the dam of the State reservoir at Eaton brook, West Eaton, Madison county; to construct discharge pipes and make other needful repairs to said dam; to repair the spillway and construct guard-rail between highway and Bradley brook reservoir in the town of Lebanon, Madison county; to rebuild the bridge and abutments at Kingsley brook reservoir in said county, and to build a new well-house and extend discharge-pipes at Kingsley brook reservoir. The appropriation of $17,000 was inadequate for carrying out all the provisions of this act, and so the most important items were selected. Surveys were made and plans were prepared for (1) a new stone spillway at Eaton brook reservoir, at an estimated cost, including engineering, of $13,915. (2) New stairs and well-house, Eaton brook reservoir, $1,034. (3) Rebuilding wooden spillway at Bradley brook reservoir, $630. (4) Constructing guard-rail, Bradley brook reservoir, eighty-five dollars. (5) Rebuilding bridge and abutments at Kingsley brook reservoir, $719. The contract for a new spillway at Eaton brook reservoir, was let to Hughes Bros., of Syracuse, June 13, 1893. The plans provide for a stone spillway with overfalls and paved waste, about 400 feet long and with a width between side walls varying from twenty to fourteen feet. This work has been completed in accordance with the contract. No contracts have been let as yet for the other pieces of work.

Appropriations of 1893.— Erie Canal.

Chapter 57.

Provides for the construction of a swing or lift-bridge at Clinton street, Syracuse. Location maps have been prepared, but contract has not yet been let.

Chapter 94.

Provides for the construction of an iron bridge with abutments and approaches thereto, at Nichols street, Dewitt. Under this law it was proposed to place the old superstructure of Mulberry street bridge at Nichols streets. Plans have been prepared, but contract has not yet been let.

Chapter 119.

Appropriates $9,000 for improving Butternut creek, in the town of Dewitt, Onondaga county. The present channel of Butternut creek is very winding and the leakage from the Erie canal, together with the spring freshets, causes the creek to overflow its banks, flooding all the surrounding property. Thousands of dollars' damages are yearly awarded property owners along this creek, by the State Board of Claims. The present law contemplates straightening the channel of the creek, so as to confine the water within proper limits, and thus avoid the large yearly award for damages. The contract for this work was let to John E. Pidgeon, of Albany, November 9, 1893, and the work is now well under way.

Chapter 161.

Provides for lengthening and enlarging the approaches to the bridge over the Erie canal at Weedsport. The contract was let to W. H. Eldridge, of Weedsport, August 18, 1893, and the work has been completed according to contract.

Chapter 328.

Provides for the construction of a sewer to connect the canal culvert east of Diamond street, Canastota, with Canastota creek. Plans were prepared for an egg-shaped brick sewer twenty-four by thirty-six inches, eight inches thick, and 1,920 feet long, with stone receiver at head and vertical wall at foot. The work was let to A. D. Osburn, of Binghamton, November 9, 1893, and the work is now in progress.

Chapter 560.

Provides for the removal of the present cast-iron Whipple bridge at Genesee street, Utica, and for the erection of an elevated iron

bridge, and also two lift-bridges; one on each side of said iron bridge. The contract was let November 15, 1893, to the Hilton Bridge Construction Company, of Albany, and the work is now in progress.

Chapter 562.

Provides for the construction of stone abutments and an iron bridge over the old abandoned Erie canal at South James street, Rome. The contract was let September 25, 1893, and the work is now in progress.

Chapter 658.

Provides for spiling, widening, raising and reconstructing the highway leading east and west across the head of Owagena (or Cazenovia) lake. The old road across the head of this lake was laid out in 1820. In 1855, the canal board determined to use Cazenovia lake as a reservoir for the Erie canal. It is claimed by the residents of Cazenovia that the construction of a dam at Cazenovia backed up the water so as to overflow the road at the head of the lake, causing it to settle. The highway commissioners have yearly expended a large sum, filling in and trying to keep the surface of the road above water, but there has been a continual settlement, indicating a soft bottom. Plans were prepared for a corduroy foundation on each side of the present road, with an embankment placed thereon, the top of which should be five and one-half feet above the crest of the dam at Cazenovia. The plans also provided for an iron bridge with stone abutments, resting on a pile foundation. The contract was let to Edward S. Candee, of Syracuse. The bridge and embankment were constructed according to contract. Owing to the continual settlement of the embankment the appropriation was exhausted, leaving the road in an unfinished condition. An additional appropriation of $4,000 should be obtained to finish this work.

Oswego Canal.

Chapter 93.

Provides for the erection of an iron bridge over the Oswego canal at Sycamore street, Liverpool. The present bridge at this

place is a Whipple truss of wood. It was proposed to erect at this place the cast-iron Whipple arch bridge that was removed from North Salina street, Syracuse, to make way for the present lift-bridge. That bridge, however, would not fit at Sycamore street without rebuilding one of the abutments at this place. As the appropriation of $1,500 would not suffice for this, nothing has been done.

Chapter 113.

Provides for the construction of a stone dam across the Seneca river at Baldwinsville. The present dam at Baldwinsville is a wooden crib dam filled with loose stone. Chapter 153 of the Laws of 1850, authorized the canal commissioners to take possession of the dam, lock and canal erected at Baldwinsville by the Baldwins. Chapter 677 of the Laws of 1869, directed that whenever it became necessary to rebuild this dam, it should be rebuilt of stone. Under the present law, plans were prepared for a stone dam, fourteen feet in height, twenty-one feet wide at bottom and six feet wide at top, with a curved spillway, resting on a rock foundation. The appropriation of $35,000 was insufficient to complete the work under this plan. A contract was let, however, to Hughes Bros. and Bangs of Syracuse, August 14, 1893, for the construction of a portion of the dam, and the work is now in progress. It will take an additional appropriation of $20,000 to complete this work.

Chapter 119.

Appropriates $10,000 for improving the Oswego canal. Plans have been prepared for a retaining wall at lock No. 13, Minetto, but contract has not yet been let.

The same chapter appropriates $5,000 for cleaning and repairing the State ditch at Liverpool, but nothing has been done as yet with this work.

Black River Canal.

Chapter 119.

Appropriates $17,000 for rebuilding lock No. 76. This work was let April 4, 1893, to John J. Hallock of Syracuse and was completed July fifth.

The same chapter appropriates $5,000 for clearing the flow ground of Beaver river reservoir at Stillwater. Plans were prepared but the contract was not let, as the bids exceeded the appropriation.

Chapter 224.

Provides for restoring, by constructing bridges, the Lake Champlain and Carthage road, rendered impassable by the construction of the Beaver river dam, at Stillwater. Plans were prepared for Stringer bridges resting on piles, over the reservoir, but the contract was not let, as the bids exceeded the appropriation.

Miscellaneous.

Chapter 683.

Appropriates $2,000 for rebuilding the State pier at the head of Cayuga lake, and at the mouth of Cayuga inlet.

The appropriation is totally inadequate for the purpose. The present pier is 1,000 feet long built in the form of a crib and filled with loose stones. It is in a very dilapidated condition and should be entirely rebuilt. Nothing has been done under this appropriation.

Chapter 726.

Appropriates $7,500 for surveys and maps for the use of the Attorney-General in cases before the Board of Claims, arising on account of the canals of the State. Of this amount $4,309.67, has been expended on this division as follows: Erie canal $1,887.40; Oswego canal, $2,227.21; Cayuga and Seneca canal, $195.06.

Under this appropriation C. A. Phelps and party have been employed on the compilation of the survey of the flow line of the new Black river reservoir at the head of Forestport pond.

Ordinary Repairs Needed — Erie Canal.

Aqueducts.

No. 7, Nine-mile creek aqueduct. Needs some new side and bottom plank.

No. 9, Centerport aqueduct. Leak through masonry at northeast corner of aqueduct.

No. 12, Seneca river aqueduct. The sides of several spans should be renewed.

Bridges.

The following bridges need rebuilding: Gilbert street, or starch factory bridge, at East Utica; Higginsville east road bridge, Hernig's road bridge, Manlius Center bridge, Stearn's bridge, Gere's farm bridge, Memphis bridge, Fountainville road bridge, Field's road bridge and May's Point change bridge.

The following bridges need new plank and some new joists: Fuller's road bridge, New Boston bridge, Main street bridge, Canastota; Chittenango bridge, Bolivar bridge, Limestone feeder change bridge, Burdick's bridge, Orville feeder bridge, Beach street bridge, William street, Grape street, Warren street bridges, at Syracuse; towpath bridge over the junction of the Oswego canal, foot-bridge at Salina street, Syracuse; sidewalks on the Salina street swing-bridge, Main street and Owasco street bridges, Port Byron, need new sidewalk railings.

A new foundation should be built on the east side of the Putnam feeder bridge.

Bridges Nos. 138 and 139, rods need tightening.

The swing-bridge over the canal at Salina street, Syracuse, should have a new track for rollers and an additional supply of new rollers put in. This bridge carries the heaviest traffic of any on this division, and needs constant attention to keep it in thorough repairs.

Bulkheads and waste-weirs.

The following waste-weirs should be rebuilt: Ballou creek waste-weir, waste-weir on berme east of Higginsville. The bulkheads at Weedsport waste-weir, on the Port Byron feeder, and on the Centerport feeder should be rebuilt. The waste-weir on Limestone feeder should be rebuilt.

Culverts.

Nos. 1, 49 and 50. Need cleaning out.

No. 56. Needs a new floor.

No. 3. Interior of arch needs pointing.

No. 43. The towpath end of culvert should be taken down and rebuilt before the opening of navigation.

Nos. 13 and 36. Should be rebuilt and enlarged, as the present culverts are too small to carry the streams during the spring freshets.

No. 74. Masonry at north end needs rebuilding and foundations repaired.

Docking.

Six thousand lineal feet of new docking are needed on section No. 5, at various places from Utica to Canastota; 3,000 lineal feet are needed on section No. 6, from Canastota to Camillus; 2,000 lineal feet are needed on section No. 7, from Camillus to the Wayne county line.

Feeders and draws.

Rome. Should have new bulkhead. The present bulkhead was patched up last spring, but is in a very dilapidated condition. The masonry around bulkhead should be repaired and pointed. A retaining wall about seventy-five feet long should be built in the river at the Mohawk feeder, from the end of the present wall north to prevent the banks being washed out when water is drawn through this feeder.

Oneida and Cowassalon feeders. Should be cleaned out and banks raised.

Camillus feeder dam. Apron needs replanking.

Bradley Brook feeder. Should be cleaned out and banks raised.

Locks.

No. 47. Needs two new lower gates on towpath side.

No. 48. There is a leak in the foundation of this lock which should be investigated and repaired before the opening of navigation. This lock should have two new tumble-gates.

No. 52. North towpath lower gate needs new heel-post and three new girts. South upper towpath gate needs new balance-beam. New frame needed for lock machinery.

Receivers.

No. 1. On berme, west of Centerport, needs rebuilding.

Hatch's lake. New bulkhead in feeders, stone abutment.

Jamesville. Strengthen and protect foot of dam and make a new channel for waste water, parallel with dam from spillway to natural channel of the creek, as recommended in previous reports.

Spillways.

At Amos mill, Syracuse, raise to standard height (seven feet above canal bottom).

Towpath.

Should be raised to standard height in low places along the canal.

Slope Walls.

Top, for about four feet, needs relaying in many places. The bench walls in Jordan level should be replaced with full height slope-walls. One thousand cords of stone will be required on section No. 7 for relaying berme-slope wall.

Vertical wall.

General repairs are needed at many places. Provision should be made for about two miles of vertical wall on this division. About 200 lineal feet of wall on the berme-bank near Burdick's bridge has fallen into the canal and should be rebuilt before the opening of navigation.

Miscellaneous.

The gates should be taken out of old dry-dock at Grove Springs and the berme-bank built across the opening.

The tumble-gate at entrance of new Oneida Lake canal should be taken out and the towpath bank built across the opening.

The bank (towpath) east of Salt street bridge, Montezuma, should be loaded with brush and stone to prevent sliding.

Sauquoit creek. A retaining wall should be built on the north side of the channel and west of the aqueduct to protect the berme-bank of the canal.

Oswego Canal.

Bridges.

Three River point towpath and road bridge should be rebuilt at once. The Bundyville change-bridge should be rebuilt.

Dams.

Oswego dam. Build new sloping apron.

Battle Island dam. A special appropriation should be obtained for rebuilding 200 lineal feet of the apron, which was washed out two years ago.

Phoenix dam. New bulkheads should be built at the east end.

Docking.

Five thousand lineal feet of docking timber is needed on this canal at various points.

Locks.

Guard-lock No. 3, and side-cut lock at Fulton should have bottom repaired and replanked, and new miter-sills put in.

No. 11. Remove lock machinery from this lock and place it in lock No. 8.

No. 13. A retaining wall should be constructed to prevent material washed from hillside filling the lock. Plans have been prepared for this work.

Vertical wall.

Five hundred lineal feet of vertical wall should be built through village of Fulson to protect towpath, which is now in a very dangerous condition.

Miscellaneous.

Piers at outlet of Onondaga lake should be rebuilt.

Spillway at Haskin's Mills, Syracuse level, should be raised to standard height.

Cayuga and Seneca Canal.

Bridges.

Lake street bridge, Geneva towpath bridge No. 4 (over White creek), Virginia street bridge, Waterloo and Kingdon road bridge, towpath bridges Nos. 11 and 12, and Demonts road bridge, need new joists and plank.

New outlet bridge and towpath bridges Nos. 7, 8 and 13, need replanking.

Locust street bridge, Waterloo and Virginia street bridge, Waterloo, need new sidewalks.

Towpath bridge No. 5 and Gorham road bridge, should be rebuilt at once.

Iron swing-bridge at State street, Ithaca, should be thoroughly overhauled and perishable parts renewed.

Docking.

Two thousand lineal feet at Geneva, needs renewing.

Retaining walls.

The retaining-wall on the second level of this canal is in very poor condition. A special appropriation should be obtained to put this in good repair.

Black River.

Aqueducts.

No. 5, Lansingkill. Masonry needs repairing and pointing, and the channel cleaned out.

Bridges.

The bridges on this canal are not in good condition and need general repairs. Nearly all the bridges on this section need painting.

Black River Improvement.

Bridges.

Whittlesey's. Replace swing with iron. The present structure has been condemned by the town commissioners as unsafe.

Illingsworth's. Replace swing with iron, new end; brace north truss of west fixed span.

Castorland. Two spans burned last spring, and replaced by temporary structures, which will be carried away by spring freshets or ice, should be replaced by permanent iron structures.

Replank swing.

Carthage. Should be rebuilt.

All bridges need painting. River bridge at Lyons' Falls and Carthage should be replanked.

Culverts.

All need repointing.

Culverts (main line).

No. 3. A receiver dam should be built in the creek above the culvert to collect the shale which now fills the culvert and channel below in every freshet.

Dams and bulkheads.

Otter Creek (river improvement). Relay vertical wall at west end, below dam, and point masonry.

Bush's. Point masonry and fill hole in embankment in west end.

Locks.

Nos. 3, 18, 33, 35, 37, 39, 40, 55 and 71 should be rebuilt.

Otter creek lock (river improvement). Should be rebuilt at once from low-water line (including docking at head), and new gates, and new quoins put in.

No. 4. Foundation needs extensive repairs.

No. 9. Needs new hollow quoin coping.

Nos. 21, 27, 34 and 75. Bottoms need replanking.

No. 12. Needs pointing.

(Forestport Feeder) Guard-lock, needs two new upper gates and one new miter-sill.

Delta guard-lock needs two new upper gates.

Two new lock-houses (needed) on section No. 1.

Prism.

Nearly the whole canal needs bottoming out and receiver dams built above the canal in all streams which bring down debris.

A special appropriation should be obtained for bottoming out Forestport feeder to its original depth. This is the principal feeder of the Erie canal and it is very necessary to have the channel cleaned out in order to have sufficient flow of water to feed the canal.

Reservoirs.

A new house is needed at Woodhull.

North Lake dam should be raised two feet and a larger relief way provided. Old State road from North Lake to Woodhull reservoir should be rebuilt. This is provided for by chapter 648, Laws of 1892.

RECOMMENDATIONS REQUIRING SPECIAL APPROPRIATIONS OR USE OF GENERAL IMPROVEMENTS APPROPRIATIONS ALREADY MADE.

Erie Canal.

Vertical Wall.

An appropriation sufficient to rebuild two miles of vertical wall on this division should be made.

Culvert No. 13 (Whitehall's). Rebuild and enlarge (see "Repairs Needed, Erie Canal Culverts").

Waste-weir No. 4, and culvert No. 26 near Higginsville). Rebuild on change of plan.

Replacing old bench walls with full height slope walls.

Enlargement of Port Byron feeder. For this I quote the reasons given in the last annual report:

"A considerable quantity of water is fed through lock No. 51 to supply the deficiency on the Port Byron level, caused by the inadequacy of the Owasco feeder. The latter consists of an iron pipe at the canal end, having a capacity of 6,000 cubic feet per minute, and an open channel supplying the pipe, which has a capacity of only 4,000 cubic feet per minute and frequently, owing to obstructions from eel-grass, etc., only actually delivers about 2,000 cubic feet per minute. If this channel were enlarged to the full capacity of the pipe it would, with the lockage and leakage from lock No. 51, fully supply the present needs of the Port Byron level, thus reducing the demand upon the Jordan level.

"A better plan, however, in my opinion, is to make a new open feeder to the canal from the first dam south of the same.

"It would be less expensive; would lie at the level of canal instead of fifteen feet above it; would avoid the high, dangerous banks of the present feeder; would be only about one-fifth as long, would give a storage pond of about thirty acres, about three-eighths of a mile from the canal; be more accessible and more permanent, requiring less care and less expense for repairs.

"I would recommend the construction of this open feeder at an early day with a head-gate capacity of 8,000 cubic feet per minute — the total flow of the stream in dry season — to provide for future emergencies. The additional cost of the increase of capacity would be a mere trifle."

Oswego Canal.

Sloping apron, Oswego dam. (See "Repairs Needed," Oswego canal.)

Rebuilding apron, Battle Island dam. (See "Repairs Needed," Oswego canal.)

Placing lock machinery in lock No. 8.

Black River Canal.

Rebuilding locks. (See "Repairs Needed," Black River canal.)

Iron swing-bridges on Black river, at Whittlesey's and Illingsworth's. (See "Repairs Needed, Black River Improvement.")

New iron bridge (two spans) at Castorland, on the Black river. (See "Repairs Needed, Black River Improvement.")

Clearing the reservoir on Beaver river at Stillwater. Estimated cost, $80,000.

General.

Bottoming out and raising banks.

Resurvey of bridges. (See "Special Surveys.")

Cleaning ditches.

Engineering.

This division has been under the charge of Russell R. Stuart, as division engineer, and David E. Whitford, as resident engineer, from October 1, 1892, until September 30, 1893.

The extraordinary work has been so scattered as to require a large force of assistants, and has caused a large expense for travel, which, however, has been kept as low as was consistent with the proper performance of the work.

Considerable time has been spent in making surveys and maps and collecting data for the Board of Claims, which has been done under the special appropriation for that purpose. A further appropriation should be made for this class of work for the coming year.

Maps, plans and specifications have been made for most of the new work, and others are in course of preparation. Work done under ordinary repairs has been promptly attended to.

I attach table No. 1, showing distribution of engineering expenses; No. 2, showing status of construction work under special appropriations, and No. 3, giving the water record of Cayuga and Cross lakes and Seneca river, as per concurrent resolution of 1884.

This record does not accomplish the desired object, if I understand it correctly. The dates of measurements are fixed by the resolution, and do not show either highest or lowest water, nor do the results afford any comparison between the original and present condition of the lakes and river. If it is desirable to continue these measurements, self-registering gauges should be set at the specified points, which would give a complete record of the fluctuations of the water.

The comparative condition can not be obtained, as no records exist of the state of lakes and river channel before the attempted improvement of the river channel. I doubt if any good result will follow the continuance of these measurements.

I attach table No. 4, giving summary of structures on this division.

All of which is respectfully submitted.

R. R. STUART,
Division Engineer.

TABLE No. 1.

Statement showing the names, rank and compensation of engineers employed on the Middle Division of the New York State Canals, together with the incidental expenses for the fiscal year ending September 30, 1893.

ORDINARY REPAIRS — ERIE CANAL.

Chapter 84, Laws of 1892.

NAME.	Rank.	Number of days	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineeer	.....	$2,400 00 per annum..	$1,087 40	$261 23	$1,348 63
D. E. Whitford	Resident engineer	.....	2,000 00 per annum..	519 94	71 83	591 77
A. C. Driscoll	Assistant engineer in charge	52	6 00 per day.....	312 00	20 48	332 48
Theo. A. Hendrickson	Leveler	145	4 50 per day.....	652 50	19 10	671 60
Paul L. Schultze	Leveler	26	4 50 per day.....	117 00	2 37	119 37
F. A. Bagg	Rodman	6	3 50 per day.....	21 00	1 83	22 83
Henry Blum	Chainman	313	4 00 per day.....	1,252 00	7 92	1,259 92
F. V. Owens	Chainman	4	2 50 per day.....	10 00	.....	10 00
Thos. J. Welch	Chainman	164	2 50 per day.....	410 00	17 21	427 21
Ed. J. Berry	Chainman	140	2 50 per day.....	350 00	73 75	423 75
John C. Gallavin	Chainman	43	2 50 per day.....	107 50	.....	107 50
Fred. L. Morgan	Chainman	24	2 50 per day.....	60 00	3 25	63 25
Fred. J. Wagoner	Chainman	26	2 50 per day.....	65 00	.....	65 00
Samuel L. Knox	Chainman	3	2 50 per day.....	7 50	.....	7 50
						$5,450 81
Incidental expenses.						
Livery					$23 00	
Stationery					323 27	
Fuel and light					83 50	
Postage and telegraph					170 50	
Office rent					9 00	
Miscellaneous					1,324 72	
						1,933 99
Total ordinary repairs Erie canal						$7,384 80

ORDINARY REPAIRS — OSWEGO CANAL.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
R. R. Stuart	Division engineer	.....	$2,400 00 per annum..	$522 03	$71 72	$593 75
D. E. Whitford	Resident engineer	.....	2,000 00 per annum..	241 32	2 40	243 72
A. C. Driscoll	Assitant engineer and surveyor..	10	6 00 per day.....	60 00	.....	60 00
T. V. Owens	Chainman	48	2 50 per day.....	120 00	.....	120 00
Thos. J. Welch	Chainman	3	2 50 per day.....	7 50	.....	7 50
E. J. Berry	Chainman	14	2 50 per day.....	35 00	.....	35 00
John C. Gallavin	Chainman	7	2 50 per day.....	17 50	.....	17 50
	Incidental expenses.					
Postage and telegraph						$1,077 47 48
Total Oswego canal						$1,077 95

ORDINARY REPAIRS — BLACK RIVER CANAL.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	.....	$2,400 00 per annum .	$238 15	$12 89	$251 04
D. E. Whitford	Resident engineer	.....	2,000 00 per annum .	164 95	30 39	195 34
A. C. Driscoll	Assistant engineer in charge.....	4	6 00 per day.....	24 00	8 24	32 24
Theo. A. Hendrickson	Leveler	1	4 50 per day.....	4 50	2 06	6 56
E. J. Berry	Chainman	3	2 50 per day.....	7 50	6 18	13 68
Total Black River canal						$498 86

ORDINARY REPAIRS.— CAYUGA AND SENECA CANAL.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
R. R. Stuart	Division engineer	.....	$2,400 00 per annum .	$138 15	$4 73	$142 88
D. E. Whitford	Resident engineer	.....	2,000 00 per annum..	60 00	.....	60 00
Henry Blum	Chainman	2	4 00 per day.....	8 00	6 58	14 58
Total expenses Cayuga and Seneca canal						$217 46

EXTRAORDINARY REPAIRS — SPILLWAY AT EATON BROOK RESERVOIR — ERIE CANAL.

Chapter 471, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	4	$2,400 00 per year....	$27 80	$25 40	$51 70
D. E Whitford	Resident engineer	47	2,000 00 per year....	257 54	46 37	303 91
A. C. Driscoll	Assistant engineer in charge	10	6 00 per day.....	60 00	3 80	63 80
A. C. Driscoll	Assistant engineer	6	5 00 per day.....	30 00	9 17	39 17
P. L. Scoultze	Leveler	95	4 50 per day.....	427 00	96 27	523 77
T. V. Owens	Chainman	4	2 50 per day.....	10 00	5 50	15 50
Thos J Welch	Chainman	6	2 50 per day.....	15 00	9 62	24 62
E. J. Berry	Chainman	9	2 50 per day.....	22 50	8 70	31 20
John C. Gallavin	Chainman	5	2 50 per day.....	12 50	7 95	20 45
Fred. J. Wagner	Chainman	49	2 50 per day.....	122 50	.....	122 50
						$1,196 62
Incidental expenses.						
Livery					$32 00	
Office rent					12 00	
Postage and telegraph					1 98	
Miscellaneous					22 40	
						68 38
Total						$1,265 00

BRIDGE OVER ERIE CANAL AT MADISON STREET, ROME — ERIE CANAL.

Chapter 601, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	1	$2,400 00 per annum	$6 58	$1 56	$8 14
D E. Whitford	Resident engineer	1	2,000 00 per annum	5 43	1 86	7 34
A. C. Driscoll	Assistant engineer in charge	1	6 00 per day	6 00	1 96	7 96
E. J. Berry	Chainman	1	2 50 per day	2 50	1 96	4 46
Total						$27 90

LIFT BRIDGE AT MULBERRY STREET, SYRACUSE — ERIE CANAL.

Chapter 610, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
D. E. Whitford	Resident engineer	8	$2,000 00 per annum	$43 84	.....	$43 84
A. C. Driscoll	Assistant engineer in charge	27	6 00 per day	162 00	$7 42	169 42
T. V. Owens	Chainman	26	2 50 per day	65 00	.....	65 00
Thos. J. Welch	Chainman	26	2 50 per day	65 00	.....	65 00
E. J. Berry	Chainman	43	2 50 per day	107 50	.....	107 50
John C. Gallavin	Chainman	35	2 50 per day	87 50	.....	87 50
	Incidental expenses.					
Miscellaneous						$538 26
						200 00
Total						$738 26

BRIDGE OVER ERIE CANAL AT CLINTON STREET, SYRACUSE.

Chapter 57, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Total.
D. E. Whitford	Resident engineer	3	$2,000 00 per annum	$16 44	.....	$16 44
A. C. Driscoll	Assistant engineer in charge	6	6 00 per day	36 00	.....	36 00
E J. Berry	Chainman	2	2 50 per day	5 00	.....	5 00
John C Gallavin	Chainman	3	2 50 per day	7 50	.....	7 50
						$64 94
Incidental expenses.						
Miscellaneous						223 76
Total bridge, etc., Syracuse						$288 70

BRIDGE AT NICHOLS STREET, DE WITT — ERIE CANAL.

Chapter 94, *Laws of* 1893.

NAME.	Rank.	Number of day.	Rate of compensation.	Salary.	Travel.	Totals.
D. E. Whitford	Resident engineer	2	$2,000 00 per annum	$10 96	.....	$10 96
A. C. Driscoll	Assistant engineer in charge	10	6 00 per day	60 00	$9 00	69 00
Thomas J. Welch	Chainman	6	2 50 per day	15 00	.....	15 00
E. J. Berry	Chainman	6	2 50 per day	15 00	.....	15 00
John C. Gallavin	Chainman	17	2 50 per day	42 50	.....	42 50
Total bridge, etc., De Witt, N. Y.						$152 46

IMPROVING BUTTERNUT CREEK — ERIE CANAL.
Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R Stuart	Division engineer	4	$2,400 00 per annum	$26 31	$12 25	$38 56
D. E. Whitford	Resident engineer	1	2,000 00 per annum	5 48	1 25	6 73
A. C. Driscoll	Assistant engineer in charge	8	6 00 per day	48 00	13 00	61 00
Theo. A Hendrickson	Leveler	2	4 50 per day	9 00	.....	9 00
E. J. Berry	Chainman	2	2 50 per day	5 00	.....	5 00
John C. Gallavin	Chainman	3	2 50 per day	7 50	.....	7 50
	Incidental expenses.					
Miscellaneous						$127 79 55
Total						$128 34

IMPROVING ERIE CANAL AND REPAIRING STRUCTURES — ERIE CANAL.
Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	11	$2,400 00 per annum	$72 32	$29 91	$102 23
D. E. Whitford	Resident engineer	15	2,000 00 per annum	82 20	3 94	86 14
A. C. Driscoll	Assistant engineer in charge	9	6 00 per day	54 00	14 42	68 42
Theodore A. Hendrickson	Leveler	7	4 50 per day	31 50	.....	31 50
T. V. Owens	Chainman	4	2 50 per day	10 00	4 20	14 20
Thomas J. Welch	Chainman	8	2 50 per day	20 00	.....	20 00
E. J. Berry	Chainman	4	2 50 per day	10 00	.....	10 00
John C. Gallavin	Chainman	6	2 50 per day	15 00	.....	15 00
	Incidental expenses.					$347 49
Postage and telegraph					$ 51	
Miscellaneous					2 00	
						2 51
Total						$350 00

RAISING APPROACHES TO SENECA STREET BRIDGE, WEEDSPORT — ERIE CANAL.

Chapter 161, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	5	$2,400 00 per year	$32 88	$3 64	$36 52
D. E. Whitford	Resident engineer	3	2,000 00 per year	16 44	3 64	20 52
A. C. Driscoll	Assistant engineer in charge	3	6 00 per day	18 00	3 64	21 64
E. J. Berry	Chainman	1	2 50 per day	2 50	1 38	3 88
John C. Gallavin	Chainman	2	2 50 per day	5 00	2 76	7 76
	Incidental expenses.					$89 88
Postage and telegraph						12
Total						$90 00

RECONSTRUCTING HIGHWAY AT HEAD OF OWAGENA LAKE, CAZENOVIA — ERIE CANAL.

Chapter 658, *Laws of* 1893.

NAME.	Rank.	Number of days	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	4	$2,400 00 per annum	$26 30	$22 94	$49 24
D. E. Whitford	Resident engineer	5	2,000 00 per annum	27 40	6 80	34 20
A. C. Driscoll	Resident engineer in charge	17	6 00 per day	102 00	25 36	127 36
Thomas J. Welch	Chainman	2	2 50 per day	5 00	2 51	7 51
E. J. Berry	Chainman	18	2 50 per day	45 00	23 16	68 16
John C. Gallavin	Chainman	9	2 50 per day	22 50	7 03	29 53
Fred. L Morgan	Chainman	2	2 50 per day	5 00	5 64	10 64
William P. Domell	Chainman	11	2 50 per day	27 50	....	27 50
						$354 14
Incidental expenses.						
Livery					$12 00	
Postage and telegraph					30	
Miscellaneous					25	
						12 55
Total						$366 69

SURVEYS — BOARD OF CLAIMS — ERIE CANAL.

Chapter 726, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	5	$2,400 00 per annum	$32 88	$21 17	$54 05
D. E. Whitford	Resident engineer	8	2,000 00 per annum	43 84	22 91	66 75
H. T. Beach	Engineer Board of Claims	12	10 00 per day	120 00	42 32	162 32
Charles G. Witbeck	Assistant engineer in charge	5	6 00 per day	30 00	19 17	49 17
A. C. Driscoll	Assistant engineer in charge	4	6 00 per day	24 00	11 70	35 70
Edwin Styring	Leveler	45	4 50 per day	175 00	15 76	191 26
Theodore A. Hendrickson	Leveler	11	4 50 per day	49 50	5 44	54 94
M. J. Rosa	Rodman	47	3 50 per day	164 50	2 78	167 28
T. V. Owens	Chainman	53	2 50 per day	132 50	10 20	142 70
Thomas J. Welch	Chainman	8	2 50 per day	20 00	.....	20 00
Davis C. Strong	Chainman	8	2 50 per day	20 00	.....	20 00
C. E. Phelps	Chainman	48	2 50 per day	120 00	9 94	129 94
F. N. Phelps	Chainman	48	2 50 per day	120 00	.....	120 00
Christopher Short	Chainman	48	2 50 per day	120 00	2 97	122 97
Robert J. Reedy	Chainman	48	2 50 per day	120 00	2 97	122 97
S. Mott Stuart	Chainman	79	2 50 per day	197 56	.....	197 50
F. A. Thurston	Axeman	26	2 00 per day	52 00	.....	52 00
						$1,709 55

Incidental expenses.

Labor	$6 00	
Livery	112 50	
Stationery	35	
Fuel	6 15	
Office rent	18 67	
Postage and telegraph	2 88	
Miscellaneous	31 30	
		177 85
Total		$1,887 40

SURVEYS BOARD OF CLAIMS — OSWEGO CANAL.

Chapter 356, *Laws of* 1892.

NAME.	Rank.	Number of days	Rate of compensation.	Salary.	Travel.	Totals.
H. T. Beach	Engineer Board of Claims	658 8-10	$10 00 per day	$658 00	$212 85	$870 85
Theo. A. Hendrickson	Leveler	19	4 50 per day	85 50	10 61	96 11
J. C. Spaulding	Chainman	31	2 50 per day	77 50	.....	77 50
D. C. Strong	Chainman	31	2 50 per day	77 50	.....	77 50
J. H. McLaughlin	Chainman	31	2 50 per day	77 50	.....	77 50
						$1,199 46
Incidental expenses.						
Postage and telegraph					$0 30	
Labor					40 00	
Miscellaneous					1 50	
						41 80
Total						$1,241 26

STONE DAM ACROSS SENECA RIVER AT BALDWINSVILLE — OSWEGO CANAL.

Chapter 113, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	4	$2,400 00 per annum	$26 31	$6 97	$33 28
D. E. Whitford	Resident engineer	15	2,000 00 per annum	82 20	6 05	88 25
A. C. Driscoll	Assistant engineer in charge	19	6 00 per day	114 00	12 00	126 00
T. V. Owens	Chainman	12	2 50 per day	30 00	5 50	35 00
Thomas J. Welch	Chainman	10	2 50 per day	25 00	11 00	36 00
E. J. Berry	Chainman	11	2 50 per day	27 50	10 50	38 00
John C Gallavin	Chainman	17	2 50 per day	42 50	11 00	53 50
						$410 53
Incidental expenses.						
Miscellaneous					$54 16	54 16
Total						$464 69

LIFT BRIDGE OVER OSWEGO CANAL AT NORTH SALINA STREET, SYRACUSE.

Chapter 229, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
D. E. Whitford	Resident engineers	15	$2,000 00 per annum	$82 20	$1 35	$83 55
A. C. Driscoll	Assistant engineers in charge	33	6 00 per day	198 00	8 83	206 83
A. C. Driscoll	Leveler	4	4 50 per day	18 06	45	18 45
Theo. A. Hendrickson	Leveler	9	4 50 per day	40 50	.....	40 50
Theo. A. Hendrickson	Rodman	2	3 50 per day	7 00	.....	7 00
F. V. Owens	Chainman	56	2 50 per day	140 00	90	140 90
E. J. Berry	Chainman	30	2 50 per day	75 00	20	75 20
						$572 48
Incidental expenses.						
Postage and telegraph					$0 17	
Miscellaneous					227 40	
						227 57
Total						$800 00

SURVEYS BOARD OF CLAIMS — OSWEGO CANAL.

Chapter 726, Laws of 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
H. T. Beach	Engineer Board of Claims	79	$10 00 per day	$790 00	$255 33	$1,045 33
C. G. Witbeck	Assistant engineer in charge	7	6 00 per day	42 00	23 21	65 41
Theodore A. Hendrickson	Leveler	67	4 50 per day	301 50	59 82	361 32
J. H. McLaughlin	Chainman	53	2 50 per day	132 50	.....	132 50
D. C Strong	Chainman	53	2 50 per day	132 50	.....	132 50
Fred L. Morgan	Chainman	53	2 50 per day	132 50	.....	132 50
William McCarthy	Chainman	53	2 50 per day	132 50	.....	132 50
						$2,002 06
Incidental expenses.						
Labor					$99 50	
Stationery					15 80	
Livery					89 50	
Postage and telegraph					25	
Miscellaneous					20 10	
						225 15
Total surveys, etc., Oswego canal						$2,227 21

Rebuilding Lock No. 76 — Black River Canal.

Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	7	$2,400 00 per annum	$46 03	$38 75	$84 78
D. E. Whitford	Resident engineer	25	2,000 00 per annum	136 99	58 22	195 21
A. C. Driscoll	Assistant engineer in charge	4	6 00 per day	24 00	.....	24 00
Edwin Styring	Leveler	100	4 50 per day	450 00	31 61	481 61
M. J. Rosa	Rodman	104	3 50 per day	364 00	3 75	367 75
Chas. M. Repson	Rodman	25	3 50 per day	87 50	.....	87 50
John C. Gallavin	Chainman	2	2 50 per day	5 00	.....	5 00
						$1,245 85
Incidental expenses.						
Labor					$5 00	
Stationery					7 40	
Fuel and light					1 75	
Livery					172 50	
Office rent					16 80	
Postage and telegraph					3 74	
Miscellaneous					37 96	
						245 15
Total						$1,491 00

WALL ALONG THE BLACK RIVER CANAL AT ROME — BLACK RIVER CANAL.

Chapter 271, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	1	$2,400 00 per annum.	$6 57	$2 06	$8 63
D. E. Whitford	Resident engineer	3	2,000 00 per annum.	16 44	1 56	18 00
A. C. Driscoll	Assistant engineer in charge	4	6 00 per day	24 00	3 52	27 52
Theo. A. Hendrickson	Leveler	1	4 50 per day	4 50	2 56	7 06
E. J. Berry	Chainman	3	2 50 per day	7 50	2 56	10 06
	Incidental expenses.					
Miscellaneous						$71 27 25
Total						$71 52

Reservoir Dam above Forestport Pond — Black River Canal.

Chapter 494, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	7	$2,400 00 per annum	$46 03	$33 10	$79 13
D. E. Whitford	Resident engineer	10	2,000 00 per annum	54 80	2 55	57 35
A. C. Driscoll	Assistant engineer in charge	60	6 00 per day	360 00	106 50	466 50
Edwin Styring	Leveler	89	4 50 per day	400 50	20 27	420 77
M. J. Rosa	Rodman	3	3 50 per day	10 50	3 71	14 21
T. V. Owens	Chainman	115	2 50 per day	287 50	49 14	336 64
Edward J Berry	Chainman	5	2 50 per day	12 50	15 21	27 71
William J. Hynes	Chainman	35	2 50 per day	87 50	2 97	90 47
Thomas J. Welch	Chainman	43	2 50 per day	107 50	12 82	120 32
S. Mott Stuart	Chainman	30	2 50 per day	75 00	.....	75 00
						$1,688 10
Incidental expenses.						
Labor					$36 00	
Livery					72 00	
Fuel and light					11 37	
Office rent					32 00	
Postage and telegraph					4 29	
Miscellaneous					14 24	
						169 90
Total						$1,858 00

RAISING ROADS AND BRIDGES ON THE BLACK RIVER — BLACK RIVER CANAL.

Chapter 494, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
D. E. Whitford	Resident engineer	10	$2,000 00 per annum	$54 80	$13 06	$67 86
A. C. Driscoll	Assistant engineer in charge	24	6 00 per day	144 00	19 15	163 15
Edwin Styring	Leveler	25	4 50 per day	112 50	6 50	119 00
Thos. J. Welch	Chainman	39	2 50 per day	97 50	5 10	102 60
Edward J. Berry	Chainman	21	2 50 per day	52 50	.....	52 50
John C. Gallavin	Chainman	16	2 50 per day	40 00	.....	40 00
Wm. J. Hynes	Chainman	39	2 50 per day	97 50	.....	97 50
						$642 61
Incidental Expenses.						
Livery					$121 50	
Labor					22 00	
Stationery					6 50	
Postage and telegraph					31	
Miscellaneous					4 35	
						154 66
Total						$797 27

SURVEYS BOARD OF CLAIMS — CAYUGA AND SENECA CANALS.

Chapter 726, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
H. T. Beach	Engineer board of claims	11	$10 00 per day	$110 00	$26 65	$136 65
Theo. A. Hendrickson	Leveler	7	4 50 per day	31 50	6 08	37 58
John C Gallavin	Chainman	3	2 50 per day	7 50	4 08	11 58
D. C. Strong	Chainman	3	2 50 per day	7 50	1 50	9 00
	Incidental expenses.					$194 81
Postage and telegraph						25
Total						$195 06

CLEARING FLOW GROUND AT STILLWATER.

Chapter 119, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
A. C. Driscoll	Assistant engineer in charge	4	$6 00 per day	$24 00	$18 45	$42 45
Thos. A. Hendrickson	Leveler	1	4 50 per day	4 50	.....	4 50
	Incidental expenses.					$46 95
Labor						2 00
Total						$48 95

BRIDGES OVER BEAVER RIVER AND TWITCHELL CREEK.

Chapter 224, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation	Salary.	Travel.	Totals.
D. E. Whitford	Resident engineer	1	$2,000 00 per annum.	$5 48	.....	$5 48
A. C. Driscoll	Assistant engineer in charge	3	6 00 per day	18 00	$4 20	22 20
Theodore A. Hendrickson	Leveler	2	4 50 per day	9 00	.....	9 00
John C. Gallavin	Chainman	2	2 50 per day	5 00	.....	5 00
Incidental expenses.						
Postage and telegraph						$41 68 1 15
Total						$42 83

REPAIRING EMBANKMENT OF MAD BROOK, SHERBURNE.

Chapter 249, *Laws of* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel	Totals.
R. R. Stuart	Division engineer	2	$2,400 00 per annum.	$13 16	$11 48	$24 64
D. E. Whitford	Resident engineer	13	2,000 00 per annum.	71 24	8 86	80 10
P. L. Schultze	Leveler	96	4 50 per day	432 00	59 04	491 04
Incidental expenses.						$595 78
Office rent					$13 00	
Postage and telegraph					30	
Miscellaneous					1 00	
						14 30
Total						$610 08

Raising Free Dam on the Beaver River at Stillwater.

Chapter 469, *Laws of* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Salary.	Travel.	Totals.
R. R. Stuart	Division engineer	3	$2,400 00 per annum	$19 73	$38 81	$58 54
D. E. Whitford	Resident engineer	5	2,000 00 per annum	27 40	13 89	41 29
D. R. Lee	Assistant engineer in charge	73	6 00 per day	438 00	21 75	459 75
M. J. Rosa	Rodman	65	3 50 per day	227 50	6 10	233 60
F. A. Bagg	Rodman	1	3 50 per day	3 50	4 46	7 96
Incidental expenses.						$801 14
Livery					$12 00	
Office rent					18 00	
Postage and telegraph					7 73	
Miscellaneous					9 65	
						47 38
Total						$848 52

SUMMARY.

ITEMS.	AUTHORIZED BY Chap.	Laws of	Amounts	Totals.
ORDINARY REPAIRS.	84	1892	.....	
Erie canal	.....	.....	$7,384 80	
Oswego canal	.....	.....	1,077 95	
Black River canal	.....	.....	498 86	
Cayuga and Seneca canal	.....	.....	217 46	
Total ordinary repairs	.....	.....	$9,179 07	$9,179 07
EXTRAORDINARY REPAIRS.				
Erie Canal.				
Spillway, Eaton Brook reservoir	471	1892	$1,265 00	
Bridge over Erie canal at Madison street, Rome	601	1892	27 90	
Lift bridge at Mulberry street, Syracuse	610	1892	738 26	
Lift bridge at Clinton street, Syracuse	57	1893	288 70	
Bridge at Nichols street, DeWitt	94	1893	152 46	
Improving Butternut creek	119	1893	128 34	
Improving Erie canal and repairing structure	119	1893	250 00	
Raising approaches to Seneca street bridge, Weedsport	161	1893	90 00	
Reconstructing highway head of Owagena lake	658	1893	366 69	
Surveys, Board of Claims	726	1893	1,887 40	
Total Erie canal	.....	.....	$5,294 75	5,294 75
Oswego Canal.				
Surveys, Board of Claims	356	1892	$1,241 26	
Stone dam across Seneca river, Baldwinsville	113	1893	464 69	
Lift bridge at North Salina street, Syracuse	229	1893	800 00	
Surveys, Board of Claims	726	1893	2,227 21	
Total Oswego canal	.....	.....	$4,733 16	4,733 16
Black River Canal.				
Rebuilding lock No. 76	119	1893	$1,491 00	
Wall along Black River canal, at Rome	271	1892	71 52	
Reservoir dam above Forestport pond	494	1892	1,858 00	
Raising roads and bridges on the Black river	494	1892	797 27	
Total Black River canal	.....	.....	$4,217 79	4,217 79
Cayuga and Seneca Canal.				
Surveys, Board of Claims	.....	.....	$195 06	195 06
Miscellaneous.				
Clearing flow ground at Stillwater	119	1893	$48 95	
Bridges over Beaver river and Twitchell creek	224	1893	42 83	
Repairing embankment of Mad brook, Sherburne	249	1893	610 08	
Raising dam on the Beaver river at Stillwater	469	1893	848 52	
Total miscellaneous	.....	.....	$1,550 38	1,550 38
Total abstracts rendered during fiscal year 1892-93				$25,170 21

TABLE NO. 2.

Statement of contracts on middle division completed during the year ending September 30, 1893.

OSWEGO CANAL.

NAME OF CONTRACTOR.	Date of contract.	Character of work.	LEGISLATIVE ACT.		Appropriation.	Engineer's estimate at contract price.	Final estimate.
			Chapter.	Year.			
Jonn J. Hallock	Nov. 30, 1892	Substructure lift bridge at North Salina street, Syracuse	229	1892	*$12,000 00	$2,077 50	$2,639 94
Groton Bridge Mfg. Co.	Nov. 30, 1892	Superstructure lift bridge at North Salina street, Syracuse	229	1892		7,539 00	7,814 51
		BLACK RIVER CANAL.					
William J. Crammond	Nov. 14, 1892	Retaining wall west side of canal north of Stanwix street, Rome	271	1892	1,500 00	1,259 44	1,254 80
Beckwith & Quackenbush.	July 20, 1892	Raising roads and bridges over reservoir above Forestport pond	494	1892	14,000 00	11,902 50	11,907 97
		MISCELLANEOUS.					
William Patrick	Aug. 30, 1892	Repairing State embankment at Sherburne	249	1892	10,000 00	7,442 00	7,476 39

*State. $6,000; People's Railroad Company, $6,000.

TABLE No. 2 — *Statement of contracts pending on the middle division, etc.* — (Concluded).

NAME OF CONTRACTOR.	Date of contract.	Character of work.	LEGISLATIVE ACT.		Appropriation.	Engineer's estimate.	Engineer's estimate at contract prices.	Payments to date.
			Chapter.	Year.				
Wm. H. Shepard & Sons..	July 10, 1892	Construction wrought iron bridge at Madison street, Rome.....	601	1892	$5,000 00	$4,350 00	$3,800 00	$2,975 00
Hughes Bros.....	June 13, 1893	Spillway Eaton brook reservoir.....	471	1892	Part of 17,000 00	12,650 00	12,135 00	5,049 00
Brummelkamp & Lane....	April 14, 1893	Substructure lift bridge, Mulberry street, Syracuse.....	610	1892	*14,000 00	2,203 50	2,144 65	1,411 00
Wm. H. Shepard & Sons..	April 14, 1893	Superstructure lift bridge, Mulberry street, Syracuse.....	610	1892	.....	.....	8,700 00	4,250 00
William H. Eldridge.....	Aug. 14, 1893	Raising approaches to Seneca street bridge, Weedsport.....	161	1893	1,000 00	900 00	810 00	.....
William J. Crammond....	Sept. 19, 1893	Bridge over old abandoned Erie canal at St. James street, Rome.....	562	1893	2,300 00	1,887 00	1,799 20	.....
Edward S. Condu	Aug. 14, 1893	Constructing highway at head of Owagena lake	658	1893	6,000 00	5,110 00	4,861 50	1,887 00
Hughes Bros. & Bangs ...	Aug. 14, 1893	Stone dam across Seneca river, Baldwinsville	118	1893	35,000 00	31,210 00	33,516 00	1,530 00
Beckwith & Quackenbush.	July 20, 1892	Clearing flow ground above Forestport pond	342	1891	15,000 00	12,500 00	11,000 00	8,483 00
Beckwith & Quackenbush.	July 20, 1892	Completion reservoir dam above Forestport pond	494	1892	35,000 00	30,815 00	30,780 00	13,209 00
John J. Hallock	Mar. 28, 1893	Rebuilding lock No. 76, Black river canal.....	119	1893	17,000 00	14,913 00	12,535 00	10,975 00
F. Louis Faass & Co	Aug. 30, 1892	Raising dam on Beaver river at Stillwater	469	1892	15,500 00	13,775 00	13,220 00	8,755 00

* State $7,000 and city $7,000.

TABLE No. 3.

Water record of Cayuga and Cross lakes and Seneca river, as per concurrent resolution of 1884.

(Water surface given below datum line.)

LOCATION.	Bench-mark number.	Miles from Cayuga lock.	1884.				1885.					
			AUGUST 5, 6 AND 7.		DECEMBER 2, 3, AND 4.		MARCH 4, 5, 6 AND 7.		AUGUST 6 AND 7.		DECEMBER 2, 3 AND 4.	
			WATER.		WATER.		WATER.		WATER.		WATER.	
			Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.
Cayuga lake	1	0	— 8.59	10.49	—10.11	8.97	—10.00	9.08	— 9.33	9.75	— 8.78	10.30
Mud lock	2	1½	— 8.80	10.42	—10.22	9.00	—10.17	9.05	— 9.54	9.68	— 8.91	10.31
Canandaigua river, south of canal	....	6½	—11.20	5.60	—12.68	4.00	—12.54	4.60	—11.93	5.20	—11.09	6.10
Aqueduct	3	6½	—11.42	7.03	—12.98	5.47	—12.66	5.70	—12.19	6.20	—11.26	7.10
Canandaigua river, north of canal	....	6½	—11.58	5.40	—13.01	4.00	—12.83	4.90	—12.48	5.20	—11.48	6.20
West Shore railroad crossing	4	9	—11.85	3.75 7.80	—13.20	2.40 6.50	—12.70	2.80 7.70	—12.88	2.60 7.50	—11.48	3.60 8.50
N. Y. C. and H. R. R. crossing	5	10	—12.41	4.80	—14.19	3.00	—13.48	3.90	—13.48	3.90	—12.66	4.70
Mosquito point	6	15¼	—15.92	0.10 7.20	—16.81	* 6.30	—16.70	* 6.40	—16.04	* 7.10	—14.23	1.80 8.90
Cross lake	7	25	—17.32	19.20	—17.55	19.00	—18.00	18.50	—17.85	18.70	—15.38	21.10

* Above water.

TABLE No. 3 — *Water record of Cayuga and Cross lakes and Seneca river, etc.*— (Continued).

LOCATION.	1886.						1887						1888.					
	MARCH 8 AND 9.		AUGUST 5, 6 AND 7.		DECEMBER 7.		MARCH 4.		AUGUST 5.		DECEMBER 2.		MARCH 2.		AUGUST 6.		DECEMBER 3 AND 4.	
	WATER.		WATER.		WATER.		WATER.		WATER.		WATER.		WATER.		WATER.		WATER.	
	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.
Cayuga lake	— 8.11	10.97	— 8.49	10.59	— 8.33	10.75	— 6.82	12.39	— 8.22	10.86	— 9.75	9.33	— 9.00	10.08	— 8.88	10.20	— 9.28	9.80
Mud lock	— 8.26	10.96	— 8.76	10.46	— 8.46	10.76	— 6.82	12.40	— 8.35	10.87	— 9.97	9.25	— 9.11	10.11	— 9.09	10.13	— 9.48	9.74
Canandaigua river, south of canal	— 9.61	7.60	—11.88	5.40	—10.20	7.00	— 7.89	9.30	—10.87	6.30	.....	.....	—10.14	7.00	—11.42	5.7	—10.66	6.5
Aqueduct	— 9.72	8.70	—12.12	6.30	—10.35	8.10	— 8.14	10.30	—11.09	7.30	—12.42	6 00	—10.26	8.1	—11.63	6.8	—10.84	7.6
Canandaigua river, north of canal	— 9.93	7.80	—12.24	5.40	—10.59	7.10	— 8.30	9.40	—11.51	6.20	—12.64	5.1	—10.57	7.2	—11.98	5.7	—11.12	6.6
W. S. R. R. crossing	—10.24	5.20	—12.76	2.70	—10.79	4.50	— 8.82	6.70	—12.00	3.50	—12.91	2.6	—10.93	4.5	—12.29	3.2	—11.35	4.1
	.....	10.50	.....	7.60	.....	9.40	.....	11.60	.....	8.40	.....	7.5	.....	9.4	.....	8.1	.....	9.0
N. Y. C. and H. R. R. R. crossing	10.74	6.60	—13.31	4.00	—11.61	5.70	— 9.18	8.10	—12.55	4.80	—13.67	3.7	—11.45	5.9	—13.00	4.4	12.19	5.2
Mosquito point	—12.15	4.00	—16.26	*	—13.39	2.60	—10.52	5.50	—15.41	0.60	—16.57	*	—13.22	2.8	—15.63	0.4	—14.69	1.3
	.....	11.00	.....	7.00	.....	9.70	.....	12.60	.....	7.70	.....	6.5	.....	9.9	.....	7.5	.....	8.4
Cross lake	—14.01	22.50	—17.71	18.80	—15.29	21.10	—12.09	24.40	—17.17	19.30	—17.42	19.1	—14.53	2.2	—17.40	19.1	—14.83	21.67

* Above water.

TABLE No. 3 — *Water record of Cayuga and Cross lakes and Seneca river, etc.* — (Continued).

LOCATION.	1889.						1890.					
	MARCH 5 AND 6.		AUGUST 5		DEC. 4 AND 5.		MARCH 6 AND 7.		AUGUST 8.		DEC. 4 AND 5.	
	WATER.		WATER.		WATER.		WATER.		WATER.		WATER.	
	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.
Cayuga lake	— 8.93	10.15	— 6.92	12.16	— 6.56	12.52	— 7.41	11.67	— 7.47	11.61	— 7.46	11.62
Mud lock	— 9.04	10.18	— 7.00	12.22	— 6.96	12.26	— 7.55	11.67	— 7.67	11.55	— 7.60	11.62
Canandaigua river, south of canal	— 9.88	7.26	— 8.82	8.3	— 8.29	8.8	— 8.92	8.2	—10.51	6.6	— 9.46	7.7
Aqueduct	—10.07	8.29	— 9.03	9.4	— 8.56	9.9	— 9.23	9.2	—10.78	7.6	— 9.79	8.6
Canadaigua river, north of canal	—10.28	7.44	— 9.33	8.4	— 8.73	9.0	— 9.27	8.4	—11 23	6.5	— 9.93	7.7
West Shore R. R. crossing	—10.47	5.0	— 9.84	5.7	— 8.74	6.8	— 9.75	5.8	—11.50	4.0	—10.34	5.2
	.....	9.9	.....	10.6	.....	11.7	.....	10.7	.....	8 9	.....	10.1
New York Cent. and Hudson River R. R. crossing	—10.97	6.4	—10.47	7 0	— 9.17	8.2	— 9.78	7.6	—12.31	5.1	—10.61	6.8
Mosquito point	—12.25	3.8	—12 92	3.1	—10.59	5.4	—10.91	5.1	—15.16	0.8	—11.33	4.7
	.....	10.9	.....	10.2	.....	12.5	.....	12.2	.....	7.9	.....	11.8
Cross lake	—14.13	22.4	—13.32	23.2	—11.75	24.8	—12.95	23.6	—16.23	20.3	—13.37	23.1

TABLE No. 3 — *Water record of Cayuga and Cross lakes and Seneca river, etc.* — (Continued).

LOCATION.	1891.						1892.					
	MARCH 3 AND 6.		AUGUST 3 AND 4.		DEC. 9 AND 10.		MARCH 7 AND 10.		AUGUST 4.		DECEMBER 7.	
	WATER.		WATER.		WATER.		WATER.		WATER.		WATER.	
	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.	Surface.	Depth.
Cayuga lake	— 5.89	13.19	— 8.96	10.12	— 9.52	9.56	— 8 67	10.41	— 7.69	11.39	— 9.06	10.02
Mud lock	— 5.96	13.26	— 9.27	9.95	— 9.66	9.56	— 8.79	10.43	— 7.85	11.35	— 9.33	9.89
Canandaigua river, south of canal	— 7.16	10.0	—12.69	4.4	—12.12	5.0	—10.55	6.5	— 9 56	7.5	—10.54	6.5
Aqueduct	— 7.48	10.9	—12.71	5.7	—12.30	6.1	—10.80	7.6	—11.05	7.4	—11.54	6.9
Canandaigua river, north of canal	— 7.45	10.2	—12.97	4.7	—12.46	5.2	—11.06	6.6	—11.28	6.4	—11.60	6.1
West Shore R. R. crossing	— 7.65	6.0	—13.29	2.3	—12.66	2.9	—10.77	4.8	—11.66	4.5	—12.50	4.2
	.....	12.8	.....	7.1	.....	7.7	.....	9.6	.....	8.7	.....	7.9
New York Cent. and Hudson River R. R. crossing	— 7.84	7.9	—13.92	3.5	—13.63	3.8	—11.31	5 7	—12.12	3.3	—13.20	4.2
Mosquito point	— 8.64	7.4	—16.70	Bed dry	—15.47	0.5	—12.96	3.0	—14.91	1.1	—14.51	1.5
	.....	14.5	.....	6.4	.....	7.6	.....	10.1	.....	8.2	.....	8.6
Cross lake	—10.4	26.0	—17.48	19.0	—16.22	20.3	—13.75	22.7	—16.56	20.0	—15.61	20.9

TABLE No. 3 — *Water record of Cayuga and Cross lakes and Seneca river, etc.* — (Concluded).

LOCATION.	1893.				Remarks.
	MARCH 3 AND 4.		AUGUST 7 AND 8.		
	WATER.		WATER.		
	Surface.	Depth.	Surface.	Depth.	
Cayuga lake	— 9.46	9.62	— 8.29	10.78	Depth on lock miter-sill.
Mud lock	— 9.55	9.67	— 8.63	10.60	Depth on miter-sill.
Canandaigua river, south of canal	—10.84	6.2	—11.190	5.8	Depth of river.
Aqueduct	—11.19	7.2	—11.95	6.5	Depth on aqueduct foundation.
Canandaigua river, north of canal	—11.35	6.3	—12.00	5.7	Depth of river.
West Shore Railroad crossing	—11.71	3.8	—12.42	3.1	Depth on natural bed.
	.....	8.7	.....	8.0	Depth in channel dredged.
New York Central and Hudson River Railroad crossing	—12.43	5.0	—13.13	4.3	Depth on bridge foundation.
Mosquito point	—14.48	1.5	—15.380	0.6	Depth on natural bed.
	.....	8.6	.....	7.7	Depth in channel dredged.
Cross lake	—15.78	20.7	—17.04	19.5	Depth at iron bridge.

SUMMARY OF STRUCTURES, ETC., ON MIDDLE DIVISION NEW YORK STATE CANALS.

Erie Canal.

	Miles.
Total length of Erie canal on middle division	97.02
Navigable feeders	3.54
Total	100.56

	Feet.
Ascending lockages, eastward	44.70
Ascending lockages, westward	10.872
Surface of Frankfort level, above tide-water	425.4
Surface of Montezuma level, above tide-water	392.571

The structures are:

Main line.

Twelve aqueducts (aggregating sixty-seven spans).

One hundred street and road bridges, classified as follows:

Four wrought-iron lift-bridges, one roadway, two sidewalks.

One wrought-iron swing bridge, one roadway, two sidewalks.

One wrought-iron trapezoidal (Simms), iron needle-beams, two roadways, two sidewalks.

One wrought-iron arch, iron needle-beams, two roadways, two sidewalks.

Three cast-iron arches, iron needle-beams, two roadways, two sidewalks.

One cast-iron arch, wooden needle-beams, two roadways, two sidewalks.

One Bollman truss, wooden needle-beams, two roadways, no sidewalks.

One wrought-iron trapezoidal, iron needle-beams, one roadway, two sidewalks.

Seventeen cast-iron arch, iron needle-beams, one roadway, two sidewalks.

Six cast-iron arch, wooden needle-beams, one roadway, two sidewalks.

One cast-iron suspended arch, wooden needle-beams, one roadway, two sidewalks.

One Bollman truss, wooden needle-beams, one roadway, two sidewalks.

Two cast-iron arch, iron needle-beams, one roadway, one sidewalk.

One cast iron arch, wooden needle-beams, one roadway, one sidewalk.

One wrought-iron arch, iron needle-beams, one roadway, no sidewalk.

Seventeen cast-iron arch, iron needle-beams, one roadway, no sidewalk.

One wrought-iron swing-bridge, one roadway, no sidewalk.

Two wrought-iron trapezoidal, iron needle-beams, one roadway, no sidewalk.

One tubular cast-iron arch, one roadway, no sidewalk.

Three cast-iron arch, wooden needle-beams, one roadway, no sidewalks.

One wooden trapezoidal, wooden chord, two roadways, no sidewalks.

Twenty-two wooden trapezoidal, wooden chord, one roadway, no sidewalks.

Eleven wooden trapezoidal, iron chords, one roadway, no sidewalks.

Three wooden trapezoidal, road and change-bridges, wooden chords, one roadway, no sidewalks.

One stone arch, one roadway, one sidewalk.

Seventeen farm bridges, classified as follows:

Five wooden trapezoidal, iron chords, one roadway, no sidewalks.

Twelve wooden trapezoidal, wooden chords, one roadway, no sidewalks.

Two change-bridges, classified as follows:

One tubular trapezoidal, iron needle-beams, one roadway, no sidewalks.

One wooden trapezoidal, wooden chord, one roadway, no sidewalks.

Eight towpath bridges, classified as follows:
- One wooden swing.
- Two cast-iron trapezoidal.
- One cast-iron arch, tubular.
- Four stringer.

Seven foot-bridges, classified as follows:
- One wrought-iron plate-girder, iron needle-beams, one walk.
- Three wrought-iron trapezoidal, iron needle-beams, one walk.
- Two cast-iron trapezoidal, iron needle-beams, one walk.
- One wooden trapezoidal, iron chord, wooden needle-beams, one walk.
- Two cast-iron arch bridges, carrying salt mains, iron needle-beams.

Eighteen railroad bridges, classified as follows:
- Two wrought-iron plate-girder swing-bridges, one track.
- Two wrought-iron riveted swing-bridges, one track.
- Five wrought-iron riveted over bridge, two tracks.
- Three wrought-iron pin-connected over bridges, two tracks.
- Three wrought-iron pin-connected over bridges, one track.
- Three wrought-iron riveted over bridges, one track.

One private farm bridge, wooden trapezoidal, iron chords, one roadway.

Ten private foot bridges, classified as follows:
- Three wrought-iron trapezoidal, iron needle-beams, one walk.
- Two wooden trapezoidal, wooden chords, one walk.
- Five suspension, wooden needle-beams, one walk.

One private wrought-iron, trapezoidal, iron needle-beams, carrying Syracuse Steam Heat and Power Company's pipes.

One cast-iron arch, carrying Solvay Process Company's salt mains.

Three bulkheads, waste-weirs and spillways.

Eight bulkheads and waste-weirs.

Seventy-eight culverts, classified as follows:
- Thirty-five arch.
- Forty-one composite.
- Two box.

Seven lift-locks.

One weigh-lock.
Two weigh-locks and office buildings.
Two receivers.
One stop-gate and bulkhead, tumble-gate, stone abutments.
One weigh-lock sewer, stone.
Four city sewers, cast pipe.
Two stone spillways.
One railroad tunnel, two arches.

Feeders and reservoirs.

Nineteen artificial feeders (three navigable).
Ten natural feeders.
One aqueduct.
Thirty-four road and street bridges.
Twenty-four farm bridges.
One towpath bridge.
One railroad bridge.
Twenty-four bulkheads.
Eight culverts.
Twenty-two river and creek dams.
Eleven reservoir dams.
Four guard-gates.
Ten stone overfalls.
One iron pipe.
One receiver.
Three spillways.
Eight well-houses.

Oswego Canal.

	Miles.
Length of main line	37.78
Side-cuts	2.86
River improvements	37.58
Total	78.22

	Feet.
Ascending lockages, southward, main line (approximated)	154.528
Ascending lockages, eastward, Oneida river improvement	6
Ascending lockages, westward, Baldwinsville side-cut,	10

	Feet + T. W.
Surface of Syracuse level	400.696
Surface, Lake Ontario (approximated)	243
Surface, Seneca river at Three Rivers (approximated),	358
Surface, Oneida lake (approximated)	365
Surface, Seneca river at Cold Spring (approximated)	358.516
Surface, Seneca river above Baldwinsville dam (approximated)	370

The structures are:

Main line.

One aqueduct.

Twenty-three street and road bridges, classified as follows:

One wrought-iron lift-bridge, one roadway, two sidewalks.

Two cast-iron arch, iron needle-beams, two roadways, two sidewalks.

Seven cast-iron arch, one roadway, two sidewalks.

One cast-iron trapezoidal, one roadway, two sidewalks.

One cast-iron arch, one roadway, one sidewalk.

Three cast-iron arch, one roadway, no sidewalks.

One wooden trapezoidal iron-chord, two roadways, no sidewalks.

Five wooden trapezoidal, iron-chord, one roadway, no sidewalks.

Three wooden trapezoidal wooden chord, one roadway, no sidewalks.

Four road and change-bridges, classified as follows:

One cast-iron tubular arch, iron needle-beams, one roadway, no sidewalks.

One wooden trapezoidal, two roadways, no sidewalks.

One cast-iron arch, iron needle-beams, two roadways, no sidewalks.

One wooden trapezoidal, wooden chords, three roadways, no sidewalks.

One towpath and road bridge, six spans, wooden chords, one roadway, no sidewalks.

Six change bridges, classified as follows:

One cast-iron trapezoidal, one roadway.

One wooden trapezoidal, iron chord, one roadway.

Four wooden trapezoidal, wooden chord, one roadway.

One wrought-iron plate girder foot-bridge, one walk.

One wooden trapezoidal, carrying salt mains, one track.

One towpath stringer, one roadway.

Two private wrought-iron arch road bridges, one roadway.

Three private foot-bridges, classified as follows:

One trapezoidal, wrought-iron, one walk.

Two trapezoidal, wooden, one walk.

Five railroad bridges, classified as follows:

One wrought-iron lift, two tracks.

One wrought-iron lattice, two tracks.

One wrought-iron plate girder swing, one track.

One wrought-iron pin connected (over), one track.

Eleven bulkheads.

Six culverts, classified as follows:

One arch.

Five composite.

Seven stone dams.

Seventeen lift-locks.

Six guard-locks (one used only as a stop-gate).

One connecting lock at Fulton.

One weigh-lock (not used).

Three sluices, stone abutments.

Forty-nine sluices, wooden abutments.

Nine spillways.

Three State shops.

Three river walls.

One inlet to salt works.

Salina and Liverpool side-cuts.

Eight street bridges, classified as follows:

One cast-iron arch, iron needle-beams, one roadway, no sidewalks.

One cast-iron trapezoidal, one roadway, no sidewalks.
Four wooden trapezoidal, wooden chords, one roadway, no sidewalks.
Two stringer, one roadway, no sidewalks.
One wooden swing-bridge at Salt Blocks, Liverpool, one roadway, no sidewalks.
One stone lock.
One waste-weir.

Onondaga outlet, Seneca river towing-path, side-cut and Jack's reefs.

Six street bridges, classified as follows:
One wrought-iron arch, iron needle-beams, one roadway, two sidewalks.
Two cast-iron arch, one roadway, no sidewalks.
Three wooden swings, one roadway, no sidewalks.
One float bridge (towing-path), one roadway.
One wooden railroad swing-bridge, one track, one sidewalk.
One crib dam (now being rebuilt of stone).
One guard-gate, stone abutments.
One wooden lock.

Oneida river improvement.

Three road bridges, classified as follows:
One iron swing.
Two wooden swings.
One wrought-iron railroad bridge.
One swing railroad bridge.
One crib dam.
One tree dam.
Two steamboat locks.

Cayuga and Seneca Canal.

	Miles.
Length of main line	20.88
Length of Cayuga branch	2.11
Length of Ithaca inlet	2.05
Length of Seneca lake outlet	.17
Total	25.21

	Feet.
Ascending lockages, westward, main line	63.58
Ascending lockages, eastward, main line	13
Ascending lockages, eastward, Cayuga branch	10

	Feet + T. W.
Surface of Montezuma level	392.571
Surface of Cayuga lake	379.571
Surface of Seneca lake (approximated)	445

The structures are, including branches, etc., eighteen street and road bridges, classified as follows:

Three cast-iron arch, iron needle-beams, two roadways, two sidewalks.

One cast-iron arch, iron needle-beam, two roadways, no sidewalks.

One wrought-iron trapezoidal, iron needle-beams, one roadway, two sidewalks.

Six cast-iron arch, iron needle-beams, one roadway, no sidewalks.

One wooden swing, Cayuga, one roadway, no sidewalks.

Four wooden trapezoidal, wooden chords, one roadway, no sidewalks.

Three iron swing, Ithaca inlet, one roadway, two sidewalks.

Two road and change-bridges, classified as follows:

One cast-iron arch, iron needle-beams, two roadways, no sidewalks.

One wooden trapezoidal, change-bridge, wooden chords, one roadway, no sidewalks.

One wooden trapezoidal farm bridge, wooden chords, one roadway, no sidewalks.

One cast-iron trapezoidal, tubular, one roadway, no sidewalks.

Fourteen towpath bridges, classified as follows:

One wooden draw-bridge, one roadway.

Five wooden trapezoidal (aggregating twenty spans), one roadway.

Two wooden pile bents (aggregating twenty-six spans), one roadway.

Six stringer (aggregating eight spans), one roadway.

Four railroad bridges, classified as follows:
One wrought-iron lift, one track.
One wrought-iron lattice, over, one track.
One wooden Howe-truss, over, one track.
One wrought-iron pin connected, over, one track.
One private trussed, carrier bridge, wood.
Nine culverts, composite.
Four dams, classified as follows:
Two stone.
One crib.
One rip-rap.
Eleven lift-locks.
Twenty-one wooden sluices.
Three spillways.
One waste-weir.
Four piers.
Two breakwaters.
Two light-houses.

Chemung Canal.

Lake level, 2 53-100 miles long.
The structures are:
One wrought-iron plate-girder swing-bridge, one roadway, two sidewalks.
One cast-iron arch-bridge (old canal), one roadway, two sidewalks.
One pier.
Three breakwaters, Watkins Harbor.

Black River Canal.

	Miles.
Length Rome to Lyons Falls	35.52
Length river improvement	42.50
Length navigable feeders	12.69
Total	90.71

	Feet.
Ascending lockages (canal) northward	693
Acending lockages (canal) southward	387.25
Ascending lockages (river) southward (approximate)	9

	Feet + T. W.
Surface of Rome level	428.4
Surface of Summit level	1,121.4
Surface of river at Lyons Falls	734.15
Surface of river at Carthage (approximate)	722

The structures are (main canal):

Six aqueducts, aggregating twenty-four spans.

Thirty-seven street and road bridges, classified as follows:

One cast-iron arch, iron needle-beams, two roadways, two sidewalks.

Three cast-iron arch, iron needle-beams, one roadway, two sidewalks.

One wrought-iron trapezoidal, iron needle-beams, one roadway, two sidewalks.

Three cast-iron arch, wooden needle-beams, one roadway, two sidewalks.

One cast-iron arch, iron needle-beams, one roadway, one sidewalk.

One cast-iron arch, wooden needle-beams, one roadway, one sidewalk.

Four cast-iron arch, iron needle-beams, one roadway, no sidewalks.

One cast-iron tubular, wooden arch needle-beams, one roadway, no sidewalk.

One wooden trapezoidal, iron chord, one roadway, one sidewalk.

Two wooden trapezoidal, iron chord, one roadway, no sidewalks.

Nine wooden trapezoidal, wooden chord, one roadway, no sidewalks.

Two wooden trapezoidal road and change-bridges, wooden chords, one roadway, no sidewalks.

One cast-iron arch road and change-bridge, wooden needle-beams, one roadway, no sidewalk.

Thirty farm bridges, classified as follows:

Three wooden trapezoidal, iron chords, one roadway.

Twenty-seven wooden trapezoidal, wooden chords, one roadway.

One wooden trapezoidal change-bridge, wooden chords, one roadway.

One tubular cast-iron arch towpath bridge, one roadway.
Two stringer towpath bridge, one roadway.
One railroad swing-bridge, one track.
One railroad truss-bridge, over, one track.
One private farm bridge, wooden trapezoidal, iron chord, one roadway.
Five bulkheads and waste-weirs.
Three spillways.
Eleven culverts, classified as follows:
Eight arch.
One composite.
Two box.
Two dams, wooden, with stone abutments.
One hundred and nine locks.
One stone sluice.

Black River Improvement.

One bridge across Mohawk river at Delta, two spans.
Five river bridges, with a swing span in each (aggregating four iron and thirteen wooden spans), one roadway, each.
One wrought-iron river bridge, seven spans, one roadway, one sidewalk.
One wooden road bridge (Beaver river), two spans, one roadway.
Three bridges at junction of Black and Noose rivers, wood, five spans.
One railroad bridge.
Two wooden steamboat locks.
Three dams.

Delta feeder.

One wooden truss road bridge.
One stringer road bridge.
One wooden truss farm bridge.
One stringer farm bridge.
One wooden dam.
One guard-lock.

Lansingkill feeder.

Three wooden bridges, stringer.
One bulkhead.

Forestport feeder.

One cast-iron arch bridge, one roadway.
Ten wooden trapezoidal road bridges, one roadway.
Two wooden trapezoidal farm bridges, one roadway.
Three bulkheads.
One bulkhead and spillway.
Three culverts.
One dam.
One guard-lock.

Sugar river feeder.

One bulkhead.
One dam.

Reservoirs for Forestport feeder.

Seven bulkheads and waste-weirs.
Ten dams.
Two tenders' houses.
Three well-houses.
One waste-weir.

Black river and Beaver river reservoirs.

Three bulkheads.
Three dams.

APPENDIX D.

REPORT

OF THE

DIVISION ENGINEER

OF THE

WESTERN DIVISION

FOR THE

YEAR ENDING SEPTEMBER 30, 1893.

APPENDIX D.

ROCHESTER, *November* 15, 1893.

Hon MARTIN SCHENCK, *State Engineer and Surveyor:*

Sir.— I have the honor of submitting to you my report on the western division of the State canals for the fiscal year ending September 30, 1893:

The canal, slips and navigable feeders are as follows:

	Miles.
Erie canal, from the east line of Wayne county to Hamburg street, in the city of Buffalo	148.92
Five slips in the city of Buffalo, aggregate length	1.60
Genesee river feeder, in the city of Rochester	2.25
Total miles	152.77

Unnavigable feeders

	Miles
Tonawanda and Oak Orchard creek	11.55
Genesee Valley canal, from Cuba reservoir to lock 87, Rockville	7.65
Genesee Valley canal, from Scottsville to Rochester rapids dam	11.00
Total miles	30.20

The sources of water supply for the Erie canal are as follows:

1. Lake Erie at Buffalo.
2. Tonawanda creek at Pendleton.
3. Tonawanda and Oak Orchard creek at Medina.
4. Allen's creek, through the Genesee Valley canal and Genesse river feeder, from Scottsville to Rochester; this water is connected from Valley canal by pipe across river to the feeder below the rapids dam, and thence into canal.

5. The Cuba reservoir, in Allegany county, through the Genesee Valley canal and the Genesee river to Rochester, and through the Genesee river feeder in the city of Rochester, into the canal.

The Tonawanda and Oak Orchard feeder and the Genesee river assist in filling the canal in the spring; the water from Allen's creek, at Scottsville, which is taken into the feeder at Rochester, tends to keep the water in the feeder pure through the summer months.

Since care has been taken to use as little water as possible below Newark, in locking boats, no difficulty has been experienced in keeping up the levels at the lower end of the division.

Dams.

There are six dams on the division, as follows:

1. One across Tonawanda creek, near its mouth; it raises the waters in the creek about four feet above the level of Niagara river.

2. One across the same creek, south of Medina; its purpose is to turn the waters of the creek into the feeder, and through it into the channel of Oak Orchard creek, and from thence into the canal at Medina.

3. One across Allen's creek, in the village of Scottsville, to send the water through the Genesee Valley canal, which is now used as a feeder from Scottsville to Rochester.

4. One across the Genesee river at Rochester, to turn the water of that stream into the feeder.

5. One across Oil creek, near the village of Cuba, Allegany county, to hold the waters of that creek and form a reservoir; it is composed of earth, faced with rip-rap and slope wall, and is 2,200 feet long and sixty-five feet in height where it crosses the stream.

6. One across a valley, two miles from the last mentioned one; it has a waste-weir, composed of stone, to serve as an escape for the waters of the creek when the reservoir is full.

Locks.

There are twenty-three locks on this division, and all lock down toward tide-water.

No.	Location.	Lift in feet.
53.	One and one-fourth miles west of Clyde (lengthened)	4.755
54.	At Lock Berlin (lengthened)	7.360
55.	In the village of Lyons (lengthened)	6.251
56.	Poor-house, one and seven-tenths miles west of Lyons (lengthened)	9.848
57.	Lower lock at Lockville, near Newark (not lengthened),	8.028
58.	Middle lock at Lockville, near Newark (not lengthened),	8.004
59.	Upper lock at Lockville, near Newark (not lengthened),	8.002
60.	Eight-tenths of a mile east of Macedon (lengthened),	9.886
61.	In the village of Macedon (lengthened)	6.601
62.	Two and one-quarter miles west of Pittsford (lengthened)	8.807
63.	Miller's, in the village of Brighton (lengthened)	8.719
64.	Sipple's, in the village of Brighton (lengthened)	10.108
65.	Reservoir in the city of Rochester (lengthened)	10.102
66.	First lock in the city of Rochester (lengthened)	8.859
67-71.	Five combined locks at Lockport (not lengthened),	57.427
	One guard-lock at Sulphur Springs; it has one chamber, 110 x 20 feet, and two additional head-gates. These gates are closed when a flood occurs in Tonawanda creek; otherwise they are left open.	
	One river lock at Tonawanda, connecting the Niagara river with canal; the lift is generally four feet, depending on height of water in river.	
	One double chamber guard and lift-lock, lengthened, at Black Rock (No. 72); it is 112 x 20 feet. The lift, together with the fall in the harbor from canal below the mean low waters in the lake, is	2.425
	Total lift	175.182

By adding to the above lifts the surface descent on the different levels, we get the total descent on the division.

On Montezuma level	.196
On Twelve-mile level, Nos. 59 to 60	.196
On Seventeen-mile level, Nos. 61 to 62	.343

On Three-mile level, Nos. 62 to 63	.063	
On long level, Rochester to Lockport, Nos. 66 to 67	3.165	
On level between Lockport and Black Rock....	1.239	
		5.171
Total rise, going west		180.353

There is also one single chamber ship-lock from Black Rock harbor to the Niagara river; it is 200 x 36 feet. The lift is usually four feet, according to the height of water in the lake and river. The weigh-lock in the city of Rochester, not used as such for some years.

Repairs to locks.

Balance-beams renewed, T. P. locks 57 and 61.

Tumble-gate platform and balance-beam in upper and lower gates 62 renewed; masonry repointed.

Tumble-gate replanked; gates repaired on 63; masonry repointed.

Balance-beams on lower T. P. gates No. 64 renewed.

Tumble-gates and lock-gates replanked on 65; masonry repointed.

Breast wall repaired; gates replanked on 66.

Thorough repairs were made on combined locks 67-71, Lockport.

Repairs to locks needed.

New platform under tumble-gate lock No. 54.

New gates and miter-sill T. P. lock No. 56.

New platform under tumble-gate and upper crib repaired, No. 57.

New tumble-gates and platform; masonry at head requires repairs, No. 59.

New gates and miter-sill, T. P., No. 60.

River lock at Tonawanda and ship lock, Black Rock, require new balance-beams.

The coping on ship lock should be taken up and a portion of the next two lower courses of masonry taken up and replaced

by new stone. The stone have been fractured by the large barges coming in contact with them, when passing through the lock. No new coping is required. The south wall of lock No. 71 requires to be taken down and rebuilt; recommended in last report.

Aqueducts.

The Rochester aqueduct leaks considerably and requires the bottom cemented and sides repointed; recommended in last report. The Medina aqueduct was repaired before opening of navigation; the arch was stripped across prism, cleaned and grouted, side walls repointed; this work has practically stopped the leaks through arch, etc.

Bridges.

There are 114 bridges of cast-iron; fifty-two of wrought-iron; twenty-one of wood and iron, and thirty-five of wood over Erie canal; slips 1, 2, and 3; Ohio and Commercial slips; Hamburgh and Clark and Skinner canals in the city of Buffalo; and one pipe truss over Oak Orchard creek feeder on Batavia road, Orleans county, making a total of 223. Wooden bridge No. 2 has been replaced by a Whipple iron arch truss from No. 208, over Hamburgh canal, Main street, Buffalo; the electric street car company built a lattice-iron truss at their own expense in place of two trusses thus using center roadway out of the three roadways.

No. 13, farm bridge, requires new truss.

No. 20. New floor beams inserted and roadway replanked. Railing has been constructed on approaches at Nos. 20, 21, 26, 27, 29, 31 and 34.

No. 36. Highway requires renewal; would recommend an iron superstructure as considerable heavy travel passes over it. It was built in 1856, and have no knowledge of its being replaced by any other since that time. The truss was sheathed.

No. 48. Wood and iron; the wood truss renewed.

No. 52. Wood and iron; two new braces inserted.

Nos. 61, 63, 64, 69 and 82. Roadways partly replanked.

Nos. 67 and 68. New floor joists and roadways replanked.

No. 71. Whipple iron arch truss, Court street, is now in State yard. This bridge has been taken down and replaced by an iron girder (at the expense of the city of Rochester) as an extension of the new stone arch bridge now building across Genesee river.

No. 73. Roadway replanked.

No. 77. West avenue lift; some new floor joists and partly replanked.

No. 90. Wood and iron. Replaced by Whipple iron arch.

Nos. 93 and 118. Wood and iron. Wood trusses renewed.

No. 129. New floor beams and plank renewed on roadway.

No. 149. Roadway replanked.

Bridge masonry.

No. 25. A portion of masonry relaid on west approach, and new railing (Newark).

No. 174 The two piers in Tonawanda creek for Pickard's bridge require to be taken down and rebuilt. See last report.

No. 178. The abutments to Whipple arch bridge over river lock slip at Tonawanda are leaning over and endangering the structure; they should be taken down to water line and rebuilt. See last report.

Culverts.

No. 29, near Bushnell's basin. Flooring taken up, foundation concreted and replanked.

No. 35. Allen's creek, on three-mile level; the breast and wing walls taken down and rebuilt.

No. 38. A break occurred on the third day of July over the arch (four feet chord) stone culvert through towpath on three-mile level, five-sixteenths of a mile east of lock No. 63, town of Brighton. The portion washed out was repaired by building a new timber foundation and a box timber one to replace it; owing to boats blocking canal west, the water could not pass down freely. Boats commenced moving early on the morning of the eighth. If the blockade did not occur they could have moved on the sixth.

An iron fifteen inches diameter pipe culvert was built at Cooley's basin, 275 feet east of bridge No. 106. Act, chapter 589, Laws 1892.

No. 96. The arch roadway culvert requires the repairs recommended in my last report. I would respectfully urge this should be attended to before opening of navigation. A great number of others require repairs to masonry on the division.

Bulkheads, waste-weirs, etc.

Bulkhead and pier at Adams basin stop-gate was rebuilt, also Bushnell's basin and Cartersville stop-gates.

Bulkhead at Mabee's was partially repaired; would recommend its renewal.

Bulkhead at Tonawanda has been rebuilt.

Stop-gates at Knowlesville were repaired in the spring and are now in good condition. The west Holley stop-gate is in poor condition and requires to be renewed. The east Holley stop-gate requires some repairs next spring.

The dam at head of Genesee river feeder, Rochester, requires new planking; see last report.

Vertical walls, etc.

A portion of vertical wall west of bridge No. 16 and near No. 17, Lyons, fell into canal and should be rebuilt.

Five hundred feet of vertical wall was taken down and relaid between Allen and Brown streets, Rochester. Before navigation was opened considerable walls were repaired where found necessary. West of Rochester the slope walls are not in good condition.

The high retaining wall at east end of aqueduct, Rochester, requires repairs; recommended last report.

Between Pendleton and Sulphur Spring guard-lock the towpath docking timber should be taken off and towpath raised two feet.

The high vertical wall built some years ago, between Hudson street and Porter avenue, Buffalo, to protect canal from encroachments of Lake Erie, has been taken down to its regular height (most of the stone was used by State for protection to Bird Island pier), as the New York Central and Hudson River Railroad Company, having protected their property on lake front by filling in with large stone, and the city filling in between road and canal,

secures it from further damage from lake storms. About 150 feet of vertical wall east of Porter avenue bridge (196) will require to be taken down to water line and rebuilt.

Bird Island pier.

A considerable portion of the old stone pier dividing Black Rock harbor and Niagara river, between the mouth of the river and Ferry street, has been damaged by storms, ice, etc. Much of the old cribs are decayed and will have to be replaced by new; and also stones to properly protect the harbor.

Submarine work.

A channel fifty feet in width of rock and earth has been excavated in canal from 700 feet east of Porter avenue bridge (196) and running east 1,800 feet in length, giving ten and a half feet depth of water. This was done under act chapter 476, Laws 1892, so boats at low water in Lake Erie would not be detained during navigation. The water was low in August and September, but no detention occurred.

Under act chapter 119, Laws 1893, work was commenced excavating a channel 100 feet wide and eighteen feet depth of water in Erie basin, and Black Rock harbor, twelve feet.

Chemung canal and feeder.

Under act chapter 726, Laws 1893, work was done for the abatement of nuisance of above by building an earth dam across canal on the lands of Lewis Fitch and others. Under same act and chapter work has been commenced and now progressing for said nuisance on the lands of Mundy and others in Big Flats, Chemung county.

Canal banks, etc.

From lock No. 61, Macedon, west to east line of Monroe county (about four miles) navigation was hindered for a short time this summer for lack of depth of water; this on the east end of the seventeen level; would recommend the prism deepened. From Lock Berlin, lock No. 54, west to Lyons the prism requires

cleaning out both sides; also between bridges Nos. 6 and 8, about one and one-half miles. A large amount of material berme side of canal was taken out before opening of navigation on the three-mile level east of Rochester; also at Spencerport, Adams basin and Brockport to original bottom.

Fourteen hundred lineal feet of oak and 200 feet of pine docking were relaid through the city of Rochester; the banks are in good condition. The towpath between Tonawanda and Pendleton has been raised in many places two feet; about 300 feet between Ellicott creek bridge (177), and Batavia railroad bridge requires docking to be relaid; also about 400 feet from the Ransom's creek bridge (172) to Pendleton has been renewed.

The wooden dock between the ship lock and International railroad bridge at Black Rock has been built.

Good water has generally been maintained during navigation.

The corps on this division have been engaged on surveys and maps for Court of Claims; Honeoye creek outlet improvement, deepening of Erie basin and Black Rock harbor, etc.

This division has been under the charge of John Bisgood, division engineer; F. N. Kimball, until November twenty-first (resigned), and A. T. Jones, from November twenty-second, as resident engineers, respectively.

Respectfully submitted.

JOHN BISGOOD,
Division Engineer.

EXTRAORDINARY REPAIRS — SURVEY OF HONEOYE OUTLET.

Act chapter 563, *Laws of* 1893.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
A. T. Jones	Resident engineer	20 days	$2,000 per year	$108 70
A. T. Jones	Resident engineer	Expenses		32 60
M. W. Wilbur	Leveler	13 days	4 50 per day	58 50
M. W. Wilbur	Leveler	Expenses		2 55
J. B. Barrett	Rodman	13 days	3 50 per day	45 50
J. B. Barrett	Rodman	Expenses		2 30
A. C. Watson	Chainman	13 days	2 50 per day	32 50
A. C. Watson	Chainman	Expenses		2 40
Wm. Mason	Laborer	12 days	2 00 per day	24 00
L. G. Bentley	Laborer	12 days	2 00 per day	24 00
Total				$333 05

EXTRAORDINARY REPAIRS — OAK ORCHARD CREEK AND FEEDER.

Act chapter 136, *Laws of* 1893.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
D. M. Teller	Rodman	11 days	$3 50 per day	$38 50
D. M. Teller	Rodman	Expenses		3 18
John Grinnell	Chainman	79 days	3 50 per day	276 50
D. D. Waldo	Chainman	49 days	2 50 per day	122 50
D. D. Waldo	Chainman	Expenses		126 86
E. F. Bapst	Chainman	36 days	2 50 per day	90 00
E. F. Bapst	Chainman	Expenses		1 68
Wm. H. Girvin	Chainman	46 days	2 50 per day	90 00
Wm. H. Girvin	Chainman	Expenses		1 68
Incidental expenses.				$750 90
Miscellaneous account			$7 46	
Livery			39 00	
				46 46
Total				$797 36

EXTRAORDINARY REPAIRS — SURVEY OF CHEMUNG CANAL AND FEEDER.

Act chapter 435, *Laws of* 1892.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
John R. Kaley	Asst. engineer in charge	66 days	$6 00 per day	$396 00
John R. Kaley	Asst. engineer in charge	Expenses		75 56
D. M. Teller	Rodman	79 days	3 50 per day	276 50
D. M. Teller	Rodman	Expenses		14 18
F. D. Ryan	Chainman	23 days	2 50 per day	57 50
F. D. Ryan	Chainman	Expenses		4 14
Wm. B. Osborn	Chainman	23 days	2 50 per day	57 50
Wm. B. Osborn	Chainman	Expenses		3 54
M. F. Wemple	Chainman	2 days	2 50 per day	5 00
M. Murphy	Laborer	7 days	2 00 per day	14 00
M. Murphy	Laborer	Expenses		1 60
Incidental expenses				$905 52
Office rent			$12 50	
Livery			41 00	
				53 50
Total				$959 05

EXTRAORDINARY REPAIRS — DYKE AT CORNING.

Act chapter 705, *Laws of* 1892.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
John R. Kaley	Asst. engineer in charge	6 days	$6 00 per day	$36 00
John R Kaley	Asst. engineer in charge	Expenses		3 16
J. B. Barrett	Rodman	79 days	3 50 per day	276 50
J. B. Barrett	Rodman	Expenses		7 31
M. F. Wemple	Chainman	37 days	2 50 per day	92 50
M. F. Wemple	Chainman	Expenses		12 30
Totals				$427 77

EXTRAORDINARY REPAIRS — GENESEE RIVER STORAGE SURVEY.

Act chapter 726, *Laws of* 1893.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
Geo. W. Rafter	Asst. engineer in charge	63 days	$6 00 per day	$378 00
Geo. W. Rafter	Asst engineer in charge	Expenses		122 43
M. S. Smith	Draughtsman	18 days	2 50 per day	45 00
J. B. Maguire	Rodman	29 days	3 50 per day	101 50
D. D. Waldo	Chainman	26 days	2 50 per day	65 00
D. D. Waldo	Chainman	Expenses		52 00
M. F. Wemple	Chainman	70 days	2 50 per day	175 00
W. R. Borst	Chainman	42 days	2 50 per day	105 00
				$1,043 93

Incidental expenses.		
Stationery	$80 85	
Fuel, light and office rent	50 18	
Postage and telegraph	7 94	
Miscellaneous account	317 32	
Labor	976 42	
Allen Lumber Co., lumber	154 27	
E. B. Osborn, hardware	286 26	
J. H. Burtis, livery	165 50	
Sullivan Machinery Co., diamond drill	160 33	
		2,199 07
Total		$3,243 00

EXTRAORDINARY REPAIRS — FORD STREET BRIDGE, ROCHESTER, N. Y.

Act chapter 14, *Laws of* 1893.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
A. T. Jones	Resident engineer	6 days	$2,000 per year	$33 33
Geo. P. Hilton	Draughtsman	Plans		125 00
H. W. Bacon	Draughtsman	Plans		5 00
				$163 33

Incidental expenses.	
Stationery	10 00
Total	$173 33

EXTRAORDINARY REPAIRS — IMPROVING CANAL AT BUFFALO, N. Y.

Act chapter 476, *Laws* 1892.

NAME.	Rank.	Number of days.	Rate of compensation.	Total amount.
A. J. Jones	Resident engineer	7 days	$2,000 per year	$38 52
A. J. Jones	Resident engineer	Expenses		21 86
D. M. Teller	Rodman	11 days	3 50 per day	38 50
D. M. Teller	Rodman	Expenses		4 14
Henry Neenan	Chainman	153 days	2 50 per day	382 50
James Kane	Chainman	161¾ days	2 50 per day	404 38
Wm. H Girvin	Chainman	160 days	2 50 per day	400 00
E. F. Bapst	Chainman	18 days	2 50 per day	45 00
Total				$1,334 90

EXTRAORDINARY REPAIRS — DEEPENING AND IMPROVING ERIE BASIN AND BLACK ROCK HARBOR.

Act chapter 119, *Laws* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Total amount.
A. T. Jones	Resident engineer	8 days	$2,000 per year	$43 48
A T. Jones	Resident engineer	Expenses		20 68
D. M. Teller	Rodman	35 days	3 50 per day	122 50
D. M. Teller	Rodman	Expenses		18 98
Henry Neenan	Chainman	106 days	2 50 per day	265 00
James Kane	Chainman	97¼ days	2 50 per day	243 12
Wm. H. Girvin	Chainman	63 days	2 50 per day	157 50
E. F. Bapst	Chainman	63 days	2 50 per day	157 50
Total				$1,028 76

EXTRAORDINARY REPAIRS—BUFFALO BRIDGES—PRIME, CANAL, PERRY AND SCOTT STREETS.

Act chapter 153, *Laws* 1893.

NAME.	Rank.	Number of days.	Rate of compensation.	Total amount.
George P. Hilton	Draughtsman	Plans		$478 23
Incidental expenses.				
Stationery				26 25
Total				$504 48

EXTRAORDINARY REPAIRS — COOLEY BASIN CULVERT.

Act chapter 589, *Laws of* 1892.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
A. T. Jones	Resident engineer	3 days	$2,000 per year	$16 30
A. T. Jones	Resident engineer	Expenses		3 66
M. W. Wilbur	Leveler	3 days	4.50 per day	13 50
M. W. Wilbur	Leveler	Expenses		3 66
J. B. Barrett	Rodman	4 days	3.50 per day	14 00
J. B. Barrett	Rodman	Expenses		3 66
F. D. Ryan	Chainman	3 days	2.50 per day	7 50
F. D. Ryan	Chainman	Expenses		3 66
	Incidental expenses.			$65 94
Livery				21 00
Total				$86 94

EXTRAORDINARY REPAIRS — SURVEY FOR COURT OF CLAIMS.

Act chapter 726, *Laws of* 1893.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
A. T. Jones	Resident engineer	34 days	$2,000 per year	$184 78
A. T. Jones	Resident engineer	Expenses		8 22
M. W. Wilbur	Leveler	11 days	4.50 per day	49 50
M. W. Wilbur	Leveler	Expenses		7 94
J. B. Barrett	Rodman	11 days	3.50 per day	38 50
J. B. Barrett	Rodman	Expenses		7 02
D. M. Teller	Rodman	7 days	3.50 per day	24 50
D. M. Teller	Rodman	Expenses		4 30
A. C. Watson	Chainman	13 days	2.50 per day	32 50
A. C. Watson	Chainman	Expenses		8 74
Total				$366 00

EXTRAORDINARY REPAIRS — ABATING NUISANCE ON CHEMUNG CANAL AND FEEDER.

Act chapter 726, *Laws of* 1893.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
Wm. B. Osborn	Chainman	26 days	$2.50 per day	$65 00
Wm. B. Osborn	Chainman	Expenses		4 74
Total				$69 74

STATEMENT *giving names, rank, number of days and compensation of engineers upon the repairs of the western division of the New York State canals, with incidental expenses, during the fiscal year from October* 1, 1892, *to September* 30, 1893.

ORDINARY REPAIRS — ERIE CANAL.

NAME.	Rank.	Number of days, etc.	Rate of compensation.	Total amount.
John Bisgood	Division engineer	1 year	$2,400 per year	$2,400 00
John Bisgood	Division engineer	Expenses		308 49
F. N. Kimball	Resident engineer	52 days	2,000 per year	282 61
F. N. Kimball	Resident engineer	Expenses		12 99
A. T. Jones	Resident engineer	234 days	2,000 per year	1,286 84
A. T. Jones	Resident engineer	Expenses		104 90
M. W. Wilbur	Leveler,	286 days	4 50 per day	1,287 00
M. W. Wilbur	Leveler	Expenses		78 88
J. B. Barrett	Rodman	206 days	3 50 per day	721 00
J. B Barrett	Rodman	Expenses		12 68
D. M. Teller	Rodman	18 days	3 50 per day	63 00
D. M Teller	Rodman	Expenses		7 08
J. J. Lynch	Chainman	49 days	2 50 per day	122 50
F. D. Ryan	Chainman	130 days	2 50 per day	325 00
F. D. Ryan	Chainman	Expenses		4 30
Henry Geck	Chainman	313 days	2 50 per day	782 50
Henry Geck	Chainman	Expenses		1 22
A. C. Watson	Chainman	118 days	2 50 per day	295 00
A. C. Watson	Chainman	Expenses		26 86
				$8,122 85
Incidental expenses.				
Stationery			$162 11	
Fuel, light and office rent			401 68	
Postage and telegraph			62 14	
Telephone			64 00	
Miscellaneous account			289 73	
				979 66
Total				$9,102 51

SUMMARY OF ENGINEERING EXPENSES UPON THE WESTERN DIVISION, NEW YORK STATE CANALS, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1893.

Extraordinary repairs:

	Amount.
Survey of Honeoye outlet, chapter 523, Laws 1893	$333 05
Oak Orchard creek and feeder, chapter 136, Laws 1893	797 36
Survey Chemung canal and feeder, chapter 435, Laws 1892,	959 02
Dyke at Corning, chapter 705, Laws 1892	427 77
Genesee river storage survey, chapter 726, Laws 1893	3,243 00
Ford street bridge, Rochester, N. Y., chapter 14, Laws 1893	173 33
Improving canal at Buffalo, N. Y., chapter 476, Laws 1892,	1,334 90
Deepening and improving Erie basin and Black Rock harbor, chapter 119, Laws 1893	1,028 76

	Amount.
Buffalo bridges, Prime street, Canal street, Perry street, Scott street, chapter 153, Laws 1893	$504 48
Cooley basin culvert, chapter 589, Laws 1892	86 94
Survey for Court of Claims, chapter 726, Laws 1893	366 00
Abating nuisances on Chemung canal and feeder, chapter 726, Laws 1893	69 74
Ordinary repairs	9,102 51
Total engineering expenses for western division	$18,426 86

TABLE OF CONTRACTS PENDING ON THE WESTERN DIVISION ON THE 30TH DAY OF SEPTEMBER, 1893.

Erie Canal.

NAME OF CONTRACTOR.	Date of contract.	Character of work.	Appropriation.	LEGISLATIVE ACT.		Engineer's preliminary estimate.	Engineer's estimate at contract prices.	Payments to date.
				Chap.	Year.			
W. H. Shepard & Sons Bridge Co.....	April 8, 1893	Wrought iron bridge superstructure over Erie canal at Ford street, Rochester	$6,000	14	1893	$4,000 00	$3,925 00	None.
State Ditch, Tonawanda.								
Ed. H. Rogers, Jr.....	Aug. 14, 1893	Arch culvert over State ditch on Broad street, Tonawanda, N. Y.....	5,000	244	1893	5,000 00	4,565 00	None.
Erie Basin and Black Rock Harbor, Buffalo.								
Kingston & Woods.....	Aug. 17, 1893	Deepening and improving the Erie basin and Black Rock harbor, Buffalo..	30,000	119	1893	26,022 00	20,380 00	None.
Chemung Canal.								
James Robinson.....	Sept. 21, 1893	Abating nuisances on the Chemung canal feeder in Big Flats, Chemung county	15,000	726	1893	2,401 00	2,387 60	Work done in part under appropriation: None.
Oak Orchard Creek and Feeder.								
MacGregor & Hughes....	Sept. 25, 1893	Bulkhead for Oak Orchard feeder in Medina and for improving Oak Orchard creek and Oak Orchard creek feeder ..	35,000	136	1893	31,000 00	29,766 30	None.
Bridges over New York State canals, Buffalo.								
Hilton Bridge Con. Co...	Sept. 28, 1893	Four bridges over New York State canals in Buffalo, N. Y	20,000	153	1893	.....	15,725 00	None.

TABLE OF CONTRACTS ON WESTERN DIVISION COMPLETED DURING THE YEAR ENDING SEPTEMBER 30, 1893.

Erie Canal.

NAME OF CONTRACTOR.	Date of contract.	Character of work	LEGISLATIVE ACT.		Appropriation.	Engineer's estimate at contract price.	Final estimate.	Remarks
			Chap.	Year.				
Hingston & Woods...	Oct. 26, 1892	Removing obstructions from prism of Erie canal in Buffalo	476	1892	$20,000	$19,525 00	$16,142 15	Amount of work shown on bidding sheet reduced
James Robinson.....	Oct. 27, 1893	Iron pipe culvert under Erie canal at Cooley's Basin	589	1892	2,000	1,290 00	1,631 22	
		Chemung Canal.						
James B. Lynch.....	July 20, 1893	Fitch's dam for abating nuisances, Chemung canal feeder	726	1893	15,000	319 50	302 61	Work done in part under appropriation.
		Dyke at Corning.						
Albert J. Homes....	Sept 1, 1892	Dyke adjacent to the Chemung river in Corning, N. Y	705	1892	8,000	6,448 75	5,994 35	

APPENDIX E.

To the State Engineer and Surveyor:

Sir.—Pursuant to your request, I began early in July last an inquiry and investigation as to title to and location of boundary lines of lots 6, 7 and 8, Subdivision 3, Great Lot 7, Hardenbergh Patent, Ulster county, with a view, more particularly, to ascertaining the location of the line between lots 6 and 7, for the purpose of determining the title to Slide Mountain pursuant to the provisions of chapter 726, Laws of 1893.

Lots 7 and 8 in division three, are the property of the State, as are also lots 3 and 4 in the same subdivision. Lot 5 is owned by an association of individuals, and lot 6 is the property of Mary Pidgeon, heir of late John Kiersted, who acquired the lot at State tax sale in 1870.

The controversy arises as to whether the major portion of Slide Mountain is upon lot 7, the property of the State or upon lot 6, the property of Mrs. Pidgeon. This has become important by reason of the expenditures made by the State in that locality including appropriations for a deer park in the immediate vicinity, and building of a bridle path or roadway across No. 6, to the top of the mountain, which is the highest peak in the Catskills and a resort for tourists and summer visitors in that section. It appeared at the outset that very much confusion exists with reference to all the lines of this tier of lots. Subdivision 3 is bounded by the town line between Shandaken and Denning, which in turn is fixed by an act of the Legislature, chapter 73, Laws 1849, under which the town of Denning is formed from part of Shandaken, and is by that act determined to be a line run by William Cockburn in 1784. The location of this line has been the occasion of controversy between the towns of Shandaken and Denning ever since the erection of the new town, and during

the past two years, an effort has been made to have this line located under the provision of the statute for that purpose on application of the supervisors of the respective towns. Two surveys have been made for that purpose under the direction of the State Engineer and Surveyor, and it appears by the report of the person in charge of these surveys that some three different and distinct lines have been marked and monumented and are claimed as the true town line.

The question of location of side lines of lots in this tier has also been in controversy for a number of years notably some eight years since, in an action in the Supreme Court between the persons then owning lots 4 and 5 out of which arose a severe and protracted litigation. An examination of the facts proven upon that trial shows that south of this divison line lies a tract of land known as the Garrison tract, the lots in which are smaller than those upon the Livingston tract, thus making the different corners upon the town line. The corners of these lots have been monumented as well as the corners on the Livingston tract, and much confusion has arisen as to the actual location of the corners of the respective lots on both tracts by reason of this fact. Upon that trial it appeared also that a survey was made by one, John B. Davis, in 1846, of the three divisions of Great Lot 7, for the purpose of division among the heirs of one Livingston, the former owner of the tract of 30,000 acres, and that the corners were marked and monumented by him upon that survey. The cross lines do not appear ever to have been run. A map was also drafted at about that time on which the streams running through that section were shown and measurements given. Upon attempting to locate these streams, a controversy arose as to their actual location, upon the ground, it being claimed, that the location upon the map is erroneous, as to the lots on which they appear. The same claim is made with reference to the location of the highway upon the map, and it is also insisted that the measurement of the different lots do not accord with the conveyances. The litigants finally gave up the attempt to locate the line and compromised the action.

Attempts appear to have been made about 1846 by two surveyors, and at the time of the litigation referred to by at least two surveyors on each side to locate the line of these lots, by starting from a well-known point near Cone Rock, several miles distant, but the surveyors arrived at a different result with regard to the location of the cross lines, and each side claimed to have found monuments fixing the location of the corners of the different lots at different points. It was insisted that some of the monuments found were intended to fix the corners of the lots upon the southerly side of Garrison tract, but it was not agreed as to which of the monuments fixed belong on that tract. An examination of the evidence upon this trial shows that it would be impossible to arrive at any correct result by following the town line or attempting to rely upon monuments to be found in that vicinity, as each side produced marked trees claimed to be line tres. An effort was, therefore, made to find maps or documents relating to the matter, and an examination was made of some twelve maps relating to the Hardenbergh Patent, formerly belonging to John Kiersted, whose heir is now the owner of Lot 6 (which maps are now in the possession of Charles Davis, Esq., at Saugerties, N. Y.), to ascertain, if possible, whether any light could be thrown upon this subject. Nothing, however, was found to give material aid in locating the lines in question. Correspondence was had with counsel formerly representing the Livingstons, and with some members of the Livingston family, without being able to elicit any information of value. I was able to obtain possession of the original deeds of some of the lots in subdivision two and three, which, it was thought, would afford some information with regard to the matter, but upon examination upon the ground, on following the description in the deeds, no marked lines or monuments could be found, thus rendering this line of research useless.

A very full and thorough examination was made in the Ulster county clerk's office for the purpose of finding conveyances, maps or papers which might in any way bear upon the question, as well as for the purpose of preparing an abstract of the title to these lots. No maps or other documents bearing upon the

question could be found except the conveyances set out in the abstract attached hereto.

Communication was also had with relatives of John B. Davis, for the purpose of ascertaining whether the field notes of Davis were still in existence, but his son, a surveyor, was unable to give any information upon this subject. Communication was also had with other surveyors in the locality, supposed to be familiar with the location, but without result.

An investigation was then had upon the ground with a view of learning any fact as to the location of lot lines or corners in the vicinity by actual examination or through information to be derived from persons in the vicinity. In this respect, most efficient assistance was rendered by Mr. J. H. Riseley, who was thoroughly familiar with the country, and who had assisted in a survey of lot 4, subdivision 2, within the past year. This information, so far as available, has from time to time been communicated to the person in charge of the survey, but I have become satisfied, after a most complete and thorough investigation, covering every possible source of information which suggests itself to me or with reference to which I have been able to acquire any knowledge whatever, that it is substantially impracticable to ascertain the actual location of the lot line between 6 and 7, since I have given to the matter very much more time and attention than should ordinarily serve to prepare a case for trial upon this question.

In view of the fact that the State has already expended a considerable sum by actual appropriations in building a roadway across No. 6, the property of Mrs. Pidgeon, to the top of Slide mountain, and of the importance attaching to Slide mountain as a place of resort during the season, and also of the further fact that the State is the owner of lots 3 and 4, as well as of 7 and 8, I am quite clearly of the opinion that the most practicable and economical method of disposing of this matter, is that the State purchase, either through negotiations or by condemnation proceedings for park purposes, lot 6, thus giving it title to three lots upon one side of lot 5, and to two of the lots upon the other in subdivision 3, thus enabling the boundaries of lot 5, which does not belong to the State, to be fixed by starting

from the known line of State land on either side and running to No. 5 from both directions. The value of the land, aside from Slide mountain, is not of great importance, but since this point has become a favorite one for tourists, and has been improved by the State, and on account of its proximity to the State Deer Park, it is desirable that no controversy should exist as to the title of the State to the mountain and to the lot over which the roadway runs by which it must be reached.

I therefore recommend the suspension of the survey and further proceedings in connection therewith, and proper action by the Legislature to enable the State to obtain title to lot No. 6, thus settling the question of boundary and avoiding a controversy which must sooner or later arise as to the right of the State to control the roadway built by it across the property of Mrs. Pidgeon. I file abstract of title to lots 6, 7 and 8 herewith.

All of which is respectfully submitted.

J. NEWTON FIERO.

ALBANY, *November* 10, 1893.

Hon. MARTIN SCHENCK, *State Engineer and Surveyor:*

Sir.— In accordance with orders I left Albany and visited Hardenbergh Patent to run out lots 7 and 8, tier 3, State land. The surveys of lots are in bad condition and it was an open question where to begin work to arrive at a proper determination.

I first visited the east side of the tier and found lot 8 of tier 2, run out recently (in 1892 by Mr. Davis). This line was followed and chained out, but no sign of an original mark could be found, nor a corner that would look as old as 1844-47. Direction of line north fifty degrees, forty minutes west.

An old blazed line was traced in places south of the recent survey marked K on plot. This I should say was about twenty-eight years old. This line was again traced a little distance east of the northwest corner. There are two corners made recently at G. and H.; one 100 chains north of line, and the other belonging to the survey of lot 8, tier 2, 109 chains. There is southwest of this last corner another, perhaps older one, but no blazed trees of anything but a recent survey can be found for

some distance around this point. Not regarding this as sufficient data to start work on, this end of tier was abandoned and the middle of the tier was looked after for an old line.

The point A in plot, corner of 3 and 4 was visited, and a plain blazed line runs from there both ways, and a corner found of a pile of stones. This line is about twenty-eight or thirty years old and was flagged at the corner and line followed some distance east, when the bearing of line was determined to be south forty-nine degrees, forty-nine minutes east. A little further a recent stone monument was found and still further a corner found, but the line is of the same approximate age, twenty-eight years old. A flag was placed on line near corner, and the corner D visited where the bearing of line was determined to be north thirty-six degrees, fifty-five minutes east. The lot is long in distance; the ground is bad for chaining, but even so the length, 116 chains, would appear much too long.

At a point east on south line is a monument erected by Martin, who placed monuments by measurements from Cone rock (southwest corner No. 1 lot). It is 1,760 feet west of this corner. Mr. Martin's line was followed east and chained, but there was no apparent corner to be found which corresponded with description.

A line was started at B and run east to the Slide mountan at C, The same aged line continues (twenty-eight to thirty years old), but after passing the road at C this line stops and a newly blazed line continues for about half a mile. After this no marks of any kind were found. Line was stopped on spur north part of Slide mountain.

The distance to the road from corner B is 2,200 feet, and to top of spur under Slide 10,158 feet. From this point the apparent top was south thirty degrees, east 1,300 feet as near as could be chained, but Slide mountain proper was found to extend some 700 feet further east, the top being flat.

From the examination made it would appear that the division line of the two tiers of lots (2 x 3) was a recent line in places and in others about thirty years old. No trace of a survey fifty years old can be found. The line also does not correspond with the proper bearing. A map was found in possession of Mr. Miles Parker, near Slide mountain post-office, which is probably a map

made by the old surveyor, Davis, who subdivided the lots and made corners in which the property must rest. The bearing of the division line given on it is south 51 degrees 30 minutes east, and the abstract from the title of lots gives this bearing as south 51 degrees east, so that this bearing of south 51 degrees, 30 minutes east, I think can be accepted for direction of north line of the lots. There is no question about the direction of the other sides, but the trouble rests in establishing a reliable corner of lot lines.

It would appear that distance across lots is being gained as the division line of the tier comes from the west. The bearing now is south forty-nine degrees forty-nine minutes east, and to correspond with old bearing this should be probably south forty-eight degrees thirty minutes. From top of spur under Slide mountain the direction of this line south forty-nine degrees forty-nine minutes east carries apparently some distance north of the gap at Wittenberg mountain where the northwest corner of lot 8 was recently run by Davis. That is as near as a stranger could recognize the country.

It will be sufficient for accuracy if the division line between the two tiers is started at the first reputable mark or corner on lots 1, 2 or 3, and carried east on a corrected bearing.

Mr. Martin, in 1892, when town line of Shandaken and Denning was in dispute, and in running the former line of lots (not Cockburn's random line) chained and monumented lot corners on this line. If the lots had corresponded on distance the line run south from B to D should have corresponded with Martin's monument at E. There is a difference of about 1,760 feet.

Had the State no interest in any other lands in this tier a determination could be made from the abstract of title, but in my opinion, if these corners are approximated it will throw lots 7 and 8 to the west and shorten 3, 4, 5 or 6. It would seem the best way to avoid conflict if lot 6 could be bought by the State. Then a satisfactory determination of the whole tier could be made to correspond with the original chain notes.

I am very respectfully.

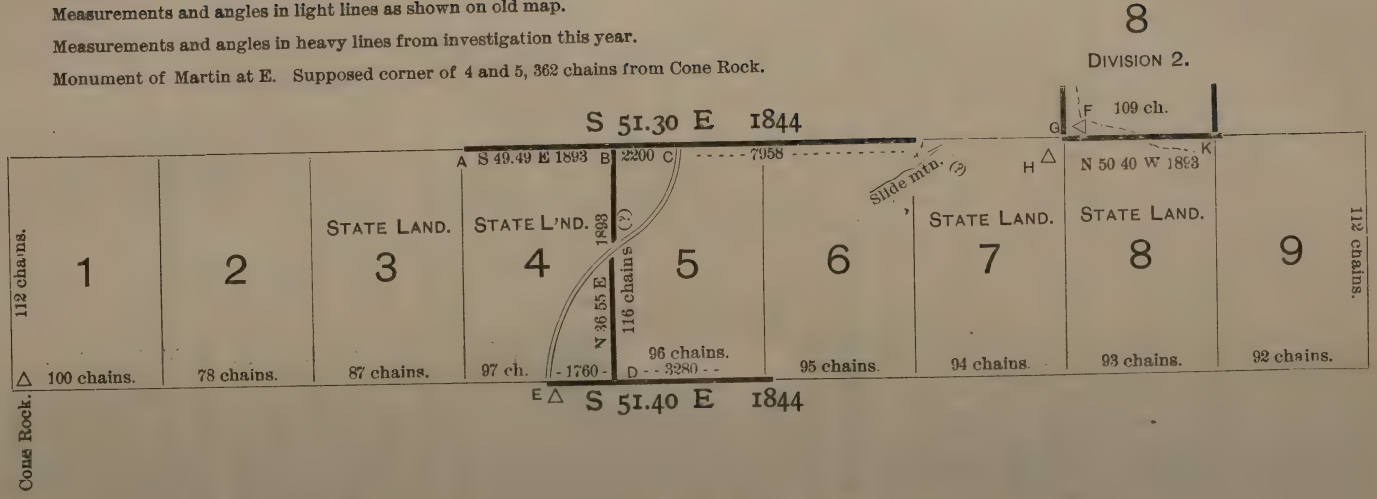
L. C. FLETCHER,
Assistant Engineer.

November 10, 1893.

Measurements and angles in light lines as shown on old map.

Measurements and angles in heavy lines from investigation this year.

Monument of Martin at E. Supposed corner of 4 and 5, 362 chains from Cone Rock.



APPENDIX F.

New York and Pennsylvania.—Joint Report on the Boundary Line and Monuments Between the States of New York and Pennsylvania.

STATE OF NEW YORK:

OFFICE OF THE STATE ENGINEER AND SURVEYOR,
ALBANY, N. Y., *December* 28, 1893.

Hon. MARTIN SCHENCK, *State Engineer and Surveyor, Albany, N. Y.:*

Sir.—We, the undersigned, have the honor to submit this our joint report on the boundary line and monuments between the States of New York and Pennsylvania, undertaken in pursuance of the following articles of agreement:

Whereas, By virtue of the provisions of chapter 421 of the Laws of the State of New York, the State Engineer and Surveyor is authorized and required, during the year 1887, and every third year thereafter, to cause to be made an examination and inspection of the boundary line monuments, between that State and other States adjoining, and is further required to make a detailed report of such inspection and examination, and is further authorized and required to co-operate with the proper authorities of such adjoining States in the examination and inspection and in restoring and replacing of boundary-line monuments where they need to be restored or replaced, and is clothed with full authority to represent the State of New York in co-operating with other States in discharging the duties hereinbefore referred to regarding boundary-line monuments; and

Whereas, Similar duties are imposed upon the Secretary of Internal Affairs of the commonwealth of Pennsylvania by the second section of the act of the General Assembly, approved May 4, 1889, entitled "An act relative to the boundary line and

boundary-line monuments," directing his co-operation with the proper authorities in any of the adjoining States in the re-establishing, by survey or otherwise, of the boundary lines, the erection of new monuments to mark their location, the repairing, restoring or renewing the old monuments when found necessary; and by virtue of said act is fully empowered to represent and act for the commonwealth of Pennsylvania, by the employment of such means as may be necessary in the premises, when, from the reports of the county commissioners of said commonwealth, or from other information satisfactory to him, it is found there is a necessity for the resurvey and relocation of said boundary lines in whole or in part, or whenever any of the boundary-line monuments are in such condition as to require resetting, replacing or renewing; and

Whereas, By virtue of the laws referred to in the two States named, the said State officers are required to co-operate with each other and act jointly in the examination and inspection, and, when found necessary, in resetting, replacing and renewing monuments and in the re-establishing of the boundary lines between said States; and

Whereas, From the partial displacement of monuments which mark the location of the line between the States of New York and Pennsylvania, as disclosed by the reports of the engineers who were appointed to examine and inspect said monuments in the year 1890, which monuments were not then reset or replaced, and from other information of a satisfactory character, it appears that the welfare of the two States named will be conserved by an examination and inspection of said boundary-line monuments during the present year, and by virtue of the duties imposed upon the officers named by the respective States, as appears from the enactments in part recited; therefore,

It is agreed, By and between the undersigned, acting in conformity with the authority conferred as hereinbefore stated, that Chas. H. Flanigan, representing the State of New York, under appointment made by Martin Schenck, State Engineer and Surveyor of the said State of New York, and Alan W. Corson, representing the State of Pennsylvania, under appointment made by

Thos. J. Stewart, Secretary of Internal Affairs of the said State of Pennsylvania, shall be empowered, and by these presents are hereby empowered, to cause to be repaired, reset and replaced any of the said boundary line monuments which in their judgment may need to be so repaired, reset or replaced; and

It is further agreed, That the parties herein named shall have full authority to represent the respective States in the discharge of the duties herein imposed, limiting the scope of their authority, however, to the examination of the boundary line monuments between the two States, and to the replacing, resetting and repairing of such monuments as, in their opinion, should be replaced, reset or repaired, and to the furnishing and setting of new monuments where the old ones are so far mutilated and destroyed as to render them unserviceable. It being understood that in case the examination and inspection to be made shall disclose the fact that there is a necessity for the resurveying of any part of the said boundary line, for the purpose of determining its location, the engineers appointed as aforesaid shall have no authority to make such survey until they shall have first reported the conditions to the parties hereto, which conditions, in their opinion, render such a survey a necessity, nor until written authority signed by both of the parties hereto shall be given them, authorizing such resurvey; and

It is further agreed, That the engineers herein referred to and appointed under the authority mentioned shall proceed at once to the discharge of their duties as set forth, and shall diligently prosecute the work of examination and inspection, and the discharge of other duties to be done and performed, in order that the work shall be completed at as early a day as practicable; and

It is further agreed, That upon the completion of the work provided for in this agreement that a full report shall be prepared of their operations, which report shall give in detail the location or condition of each monument and other interesting data pertaining thereto, as well as a statement of such action as may have been taken in regard to the same, such reports to be made in duplicate, each to be signed by both the engineers, one to be

filed with the State Engineer and Surveyor of the State of New York, at Albany, and the other to be filed with the Secretary of Internal Affairs of the commonwealth of Pennsylvania, at Harrisburg; and

It is further agreed, That the actual expenses incurred in the discharge of the duties herein referred to shall be borne equally by the two States in interest, except so far as may relate to the compensation of the two engineers referred to, which compensation is to be arranged by each State separately, and that all expenses be accounted for in verified statements; and, as far as practicable, supplemented by receipted vouchers from parties to whom disbursements have been made.

In witness whereof Chapman L. Johnson, Deputy State Engineer and Surveyor of the State of New York, and Thos. J. Stewart, Secretary of Internal Affairs of the commonwealth of Pennsylvania, have hereunto set their hands and caused the seals of their respective departments to be hereunto affixed this 22d day of August, A. D. 1893.

CHAPMAN L. JOHNSON,
Deputy State Engineer and Surveyor.

THOS. J. STEWART,
Secretary of Internal Affairs.

This boundary line was monumented by a joint commission of the two States during the years 1881, 1882, 1883, 1884, 1885. The monuments are of Connecticut granite of a coarse reddish gray texture granite, hard and durable. They are of five classes, as follows:

FIRST CLASS — HIGHWAY MONUMENTS.

These are placed at highways intersecting or following the boundary. Mile-stones placed beside highways are of the first class. The monuments are four and one-half feet long, the top is dressed rectangular, twelve inches by six inches, and at right angles across the center, parallel with the edges, are cut two quarter-inch grooves; the upper end of each side to the depth of twelve inches is also dressed, and upon one broad (north) face are

cut the letters "N. Y.," and upon the other (south) the letters "PA." A milestone of the first class has in addition the number of the original mile monument, with the addition of the letter "M." These monuments weigh from 375 to 500 pounds.

In setting monuments of this class, the longer groove was uniformly placed in the direction of the boundary.

Monuments of the second, third and fourth classes are four feet long, the top is dressed six inches square and the upper end of each side is also dressed to the depth of six inches. They weigh from 170 to 220 pounds.

SECOND CLASS — MILE-STONES.

These are placed at the original mile-points, which are not marked by monuments of the first and fourth classes. Across the top at right angles, and parallel with the faces, are cut two quarter-inch grooves. On opposite faces are cut the letters "N. Y." (north) and "PA." (south), and upon a third (east face) the number of the original monument, with the letter "M."

THIRD CLASS.

These are similar in all respects to monuments of the second class, with the exception that the number upon the third face is omitted, except in a few instances. They are placed at railway and river intersections, and at such points as were necessary.

Monuments of the second and third classes are set so that the faces containing the letters "N. Y." and "PA." are parallel with the boundary.

FOURTH CLASS.

Diagonally across the top are cut two quarter-inch grooves, and the monuments are set so that one of the diagonal grooves is in the direction of the boundary. The faces are specially lettered. These monuments are generally mile-stones marking town or county corners, and the face of the stone toward the town or county is marked with the initial letter of the name.

FIFTH CLASS.

Monuments of this class are placed to mark the astronomical stations of the United States Coast and Geodetic Survey, occupied in 1877 and 1879. Each monument is a block of granite of the general dimensions of twelve inches square and eighteen inches or more deep. The top is dressed and the station point is marked upon it in the center by a cross (X). Upon the top are also cut the name of the station, the letters "U. S. C. and G. S.," and the year in which the station was occupied.

Monuments of this class were not examined, as they are all buried beneath the surface.

The monuments were generally found to be in good condition. Some of them were more or less chipped at the corners and sides, but not to a sufficient extent to affect their usefulness; others had heaved from one to eighteen inches, due to the action of the elements. It was deemed unadvisable to reset every monument which might have heaved a trifle above its normal position, as such an undertaking would prove unduly expensive and be productive of no practical good. A limit of upheaval of twelve (12) inches was decided upon, and all monuments found to have upheaved to that amount or more were reset. It was shown in almost every instance that the monuments that required attention were those that were reset in 1890, and which again heaved above the agreed-upon limit.

After an examination, it was decided that their upheaval was due to the permeable condition of the ground in which they stood, and the fact that the disturbed earth offered ready access to the frost.

In the resetting, a hole was dug three (3) feet square on top, with only a slight batter, and the monument was then placed in the hole six (6) inches vertically above the recorded disc, and the space between filled with vegetable matter, and a flat stone twelve (12) inches square, with a thickness of two (2) inches; the hole was then about half filled with sand and gravel, every shovel full of which was well tamped into place. On top of this was placed a puddle compactly rammed up to the surface of the ground.

Such a course, we believe, will prevent a recurrence of the upheavals heretofore noted.

The monuments reset are mentioned fully in the detailed description of monuments.

The other monuments which were noted in the report of 1890, as having heaved slightly were found to be in the same condition as then reported showing that in the past three (3) years, at least, there has been no upheaval.

The line as discovered by us was only discernible in those places where line fences exist; the most careful scrutiny in the woods failed to show any evidence of line trees or that any trees had been so marked when the monuments were set; the stubs of underbrush which had been left standing after the cutting for the instrumental work in the original survey and which proved of value in the previous examination, have now disappeared, so that the only way at present for following the line is by aid of the compass; however, it would be very laborious and quite tedious to have the line rerun and possibly to no good end, for in those places the country is but sparsely settled and the land of but little value.

In the immediate vicinity of each monument trees had been hacked as witnesses; in some cases these trees have been cut down purposely, it seems to us, by the lumbermen, and in others the witness hacke had been almost obliterated by age. In such cases new witness trees were chosen, and in others the indistinct blazes were recut.

We spent hours, and in some cases, even a day, in looking for monuments which were poorly and imperfectly described; this defect we have endeavored to remedy by a complete detailed description, in which the position of every monument is truly and faithfully described, so that in future examinations the time consumed should be considerably reduced, and the expenses proportionately lessened.

The report of H. W. Clark, the surveyor, who monumented the line, calls for several more monuments on the parallel boundary than we were able to find. Where they are or what the mark we

could discover neither on the line nor from the official "Record of Monuments," on file in the office of the Regents of the University. By our close scrutiny and many inquiries, we have every reason to believe that in the "Description of Monuments," which is hereto annexed, the location of each and every monument on the boundary line is given, and that we have not missed even one.

It was also demonstrated clearly to our minds that the judgment expressed three (3) years ago, viz., that three years should be the longest time between the examinations, was very good, as in some cases those monuments that were easily found the three (3) years previous were extremely difficult to find this time, principally on account of the way the property owners lumbered along the line, peeling the logs for the bark and leaving the lumber to lie, and in most cases to rot, there.

The following monuments are not shown on map: Nos, 1, 5, 31, 48, 140, 299, 323, 354, 384, 420, 503, 506, 508.

Very respectfully submitted.

C. H. FLANIGAN,
For New York.

ALAN W. CORSON,
For Pennsylvania.

Detailed Description of Monuments on the Boundary Line Between New York and Pennsylvania.

MONUMENT NO 1—HIGHWAY NO 1.

Is a highway monument, standing on the southwest side of the river road on the right hand bank of the Delaware river, and about twelve feet east of the large initial monument. It is on line between properties of Elias Mereness and John Ferris. This monument was found to be in good condition in every respect.

MONUMENT NO. 2—LARGE INITIAL MONUMENT.

Is a large block of Rhode Island granite, ten and one-half feet long, the upper six feet being dressed in the form of a flat obelisk, two and one-third feet wide and one one-third feet thick. The

words. "Boundary monument," and the date, "1884," are cut on both sides. The north side is further marked:

New York.

HENRY R. PIERSON,
ELIAS W. LEAVENWORTH,
CHAUNCEY M. DEPEW,
Commissioners.

Five hundred feet west of the N. E. corner of Pennsylvania.

H. W. CLARKE,
Surveyor.

The south side is further marked:

Pennsylvania.

JAMES WORNALL,
CHRISTOPHER M. GERE,
ROBERT N. TARRY,
Commissioners.

C. M. GERE,
Surveyor.

This monument is situated about twenty feet west of the road on the right hand bank of the Delaware river. It is on line between properties of Elias Mereness and John Ferris. This monument was found to be in good condition in every respect.

MONUMENT NO. 3 — MILESTONE 1.

Is a small monument standing sixty feet east of the road which runs southeasterly from the bridge over the Delaware river at Hale's Eddy, on the west side of a deep ravine 240 feet west of creek. The woods on the west side of the road, where the lines cross, have been cleared on the south. It is on the property of J. C. Olds. This monument was found to be in good condition in every respect.

MONUMENT NO. 4 — MILESTONE 2.

Is a small monument, standing on level ground, ten feet north of the left hand bank of Cequaga Lake brook, sixty feet west of a

maple which stands almost on line and north forty-six degrees west about 800 feet to Elisha Alexander's house. It is on the property of Elisha Alexander. This monument was found to be in good condition in every respect.

MONUMENT NO. 5 — HIGHWAY STONE 1.

Is a highway monument on the west side of a highway leading from Hale's Eddy to Susquehanna, 870 feet west of Monument No. 4, and about 200 feet south of Elisha Alexander's house. It is on the property of S. B. Alexander. This monument was found to be in good condition in every respect.

MONUMENT NO. 6 — MILESTONE 3.

It is a small monument in the west edge of thin woods fifteen feet east of a lightly traveled road and twenty feet east of a six-inch blazed poplar nearly dead, which stands on the west edge of road; the ground here is thickly covered with brush. It is on the property of Harvey DeHaen. This monument was found to be in good condition in every respect.

MONUMENT NO. 7 — MILESTONE 4.

Is a highway monument on the northeasterly side of a highway along the left bank of Oquaga Lake brook, leading from Sherman to Oquaga lake. It is on line between the properties of William Gunder and J. H. Prom. This monument was found to be in good condition in every respect.

MONUMENT NO. 8 — MILESTONE 5.

Is a small monument in cleared land near the top of a southeasterly slope about 800 feet north of George Lee's house, 250 feet north of a sugar maple, and north twenty degrees east of a white ash. It is on the property of George Lee. This monument was found to be in good condition in every respect.

MONUMENT NO. 9 — HIGHWAY STONE 1.

Is a highway monument on the west side of a highway leading from Danville to Sherman, about 800 feet south of Tallmadge's

house and 400 feet west of Oquaga Lake dam. It is on line between the properties of Leonard Sweet and J. E. Tallmadge. This monument has its northeast corner chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 10 — MILESTONE 6.

Is a small monument in a small hollow at the foot of a steep easterly slope, 155 feet east of monument No. 11, and along the south edge of a clearing. It is on line between the properties of Thomas Arnica and Thomas Myrick. This monument has its top almost flush with the surface of the ground, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 11 — HIGHWAY STONE 1.

Is a highway monument on the west side of the east fork of the highway leading from Danville to Stevens Point, about 300 feet south of where road forks, and 600 feet south of Thomas Myrick's house. It is on line between properties of Thomas Myrick and John Hemingly. This monument has heaved three inches and has its southeast and southwest corners badly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 12 — HIGHWAY STONE 2.

Is a highway monument on the south side of boundary line road, and about fifty feet west of where it is intersected by the west fork of the highway leading from Danville to Stevens Point. It is on line between the properties of Thomas Myrick and John Hemingly. This monument has its southeast corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 13 — HIGHWAY STONE 3 AND COUNTY STONE.

Is a highway monument on the south side of boundary line road near the point where the road turns to the southwest. It marks the corners of Wayne and Susquehanna counties, Pennsylvania. It is on line between the properties of E. Alexander and David Dale. This monument was found to be in good condition in every respect.

MONUMENT NO. 14 — MILESTONE 7.

Is a small monument near the foot of a steep westerly slope, east of Deep Hollow in land which was once cleared along side line fence. It is on line between the properties of William Seamens and the Bishop estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 15 — HIGHWAY STONE 1.

Is a highway monument on the south side of a clearing, on west side of Deep Hollow road. It is on line between properties of Elias Decker and Clinton Mumford. This monument has heaved four inches, otherwise it was found to be in good condition.

MONUMENT NO. 16 — MILESTONE 8.

Is a small monument on very steep westerly slope, 200 feet west of the summit and in a thick woods, heavily covered with briars; it is a little to the east of a small grove of hemlocks, two of which were blazed north sixty-six degrees east twelve feet from a hemlock, and north thirty-six degrees east twenty feet to another. It is on line between the properties of ——— King and Mrs. John Cook. This monument was found to be in good condition in every respect.

MONUMENT NO. 17 — MILESTONE 9.

Is a small monument on steep easterly slope about 150 feet east of the summit, 2,600 feet east of monument 18, and about 200 feet west of the corner of William O. Day's property, which is about fifty feet east of the bottom of a ravine. The woods here have been cleared on both sides of the line, but more on the New York than on the Pennsylvania side. It is on line between the properties of Wray Kessler and Luther Buchanan. This monument was found to be in good condition in every respect.

MONUMENT NO. 18 — HIGHWAY STONE 1.

Is a highway monument on the east side of Pig-pen Run road, alongside line fence and about eight feet east of gate which crosses the road. It is on line between the properties of H. Aldrich and J. Madden. This monument has its northeast and

northwest corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 19 — TOWN STONE.

Is a small monument with diagonal grooves, marking the corner of the towns of Sanford and Windsor, Broome county, New York. It is situated in cleared field on north side of line fence and 440 feet east of monument No. 20. It is on line between the properties of Patrick F. O'Rourke and H. Aldrich. This monument has heaved six inches, otherwise it was found in good condition.

MONUMENT NO. 20 — MILESTONE 10.

Is a small monument at the south edge of thick woods and just to the north of an abandoned wood road and 300 feet southeast of a large upturned root. It is on line between the properties of P. F. O'Rourke and H. Aldrich. This monument was found to be in good condition in every respect.

MONUMENT NO. 21 — HIGHWAY STONE 1.

Is a small monument which was originally intended to mark a highway, but as the highway had never been opened, monument now stands in a very thick growth of bushes, 605 feet west of monument No. 26, and about fifteen feet southwest of a narrow path, which runs southeast from the clearing. It is on a line between the properties of O'Rourke and Lynes. This monument was found to be in good condition in every respect.

MONUMENT NO. 22 — MILESTONE 11.

Is a small monument at the foot of a steep northwesterly slope in thick open woods about 150 feet east of the end of line fence. It is on line between property of Charles Vermilia and Charles Plunket. This monument was found to be in good condition in every respect.

MONUMENT NO. 23 — HIGHWAY STONE 1.

Is a highway monument on the west side of the east Cascade Valley road, and about 300 feet north of Vermilia house. It is on

line between the property of Charles Vermilia and Charles Plunket. This monument has heaved five inches, and has its southwest corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 24 — HIGHWAY STONE 2.

Is a highway monument standing on the east side of the west Cascade Valley road, about 700 feet south of Frazier house, and twenty feet north of an old line fence. It is on line between the property of Charles Vermilia and John Frazer. This monument has its four corners slightly chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 25 — RAILROAD STONE 1.

Is a small monument standing between the two tracks of the New York, Lake Erie and Western railroad, and about 100 feet west of monument 24. This monument was found to be in good condition in every respect.

MONUMENT NO. 27 — MILESTONE 12.

Is a small monument standing on the summit of the high narrow ridge between Cascade Valley and the Susquehanna river; it is about 500 feet west of stone quarry. It is on line between the property of John Frazer and G. E. McCune. This monument was found to be in good condition in every respect.

MONUMENT NO. 27 — HIGHWAY STONE 1.

Is a highway monument on the north side of road which leads from Windsor to Lanesboro, about five feet east from a large chestnut. It is on line between the property of G. E. McCune and J. F. McCune. This monument has its four corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 28 — RAILROAD STONE 1.

Is a small monument standing three feet west of the west track of the Delaware and Hudson Canal Company's railroad, and

ERRATA.

Page 222.—Monument No. 27, immediately following the description of Monument No. 25, should read Monument No. 26.

Page 231.—Monument No. 37 should read Monument No. 73.

The description of Monuments Nos. 52, 53, 54 and 55 will be found on pages 234 and 235.

Page 306.—Monument No. 445 at bottom of page should read Monument No. 446.

Page 371.—In the last line of the description of Monument No. 58, the word "not" should be inserted between the words "was" and "found," and the rest of the sentence after the word "found" should be omitted.

Page 390.—Monument No. 111; the same correction as for Monument No. 58, page 371.

about 200 feet southwest of C. C. Morse's house. This monument has its top flush with the surface of the roadbed, and has its north side badly broken.

MONUMENT NO. 29 — RIVER STONE 1.

Is a small monument which marks the intersection of the boundary on the left hand bank of the Susquehanna river. It stands on level ground, in cleared field and about fifty feet east of the original monument which stands at the edge of the river bank. It is on line between the property of J. F. McCune and N. F. Comfort. This monument was found to be in good condition in every respect.

MONUMENT NO. 30 — RIVER STONE 2.

Is a small monument which marks the intersection of the boundary on the right hand bank of the Susquehanna river. It stands on level ground in line fence about twenty feet west of the position of the original monument, no trace of which now remains. It is on line between the property of Herbert Beebee and George Pooler. This monument was found to be in good condition in every respect.

MONUMENT NO. 31 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of the road on the right hand bank of the Susquehanna river about 600 feet south of Pooler's house. It is on line between the property of Herbert Beebee and George Pooler. This monument has its northeast and southwest corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 32 — MILESTONE 13.

Is a small monument standing in cleared land about 1,700 feet west of monument No. 31 and ten feet north of stone line fence. It is on a line between the property of H. Beebee and George Pooler. This monument was found to be in good condition in every respect.

MONUMENT NO. 33 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of the Oquaga Mountain road, on north edge of clearing, and about 500 feet north of A. G. Matthews' house. It is on line between the property of H. Beebee and A. G. Matthews. This monument was found to be in good condition in every respect.

MONUMENT NO. 34 — SECTION STONE 1.

Is a small monument with diagonal grooves which marks the corner of Hooper patent and the third tract in Windsor. It stands upon a very steep northerly slope in a laurel thicket in thick woods, about 600 feet east of mounment No. 35. It is on line between the property of A. G. Matthews and the Pooler estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 35 — MILESTONE 14.

Is a small monument standing on steep northerly slope in a laurel thicket in thick woods, 1,647 feet east from monument No. 36. It is on line between the property of A. G. Matthews and C. C. Worden. This monument was found to be in good condition in every respect.

MONUMENT NO. 36 — HIGHWAY STONE 1.

Is a highway monument on southwest side of a wood road on the summit of a ridge 3,848 feet east of monument No. 38. It is on the property of Joshua Bevens. This monument was found to be in good condition in every respect.

MONUMENT NO. 37 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of a road leading from Hickory Grove to Windsor, about 500 feet south of Haxton's house. It is on line between property of Abe Haxton and Stephen Bevens. This monument was found to be in good condition in every respect.

MONUMENT NO. 38 — MILESTONE 15 AND TOWN STONE.

Is a small monument with diagonal grooves standing in cleared land under a wood fence on west side of valley and about 250 feet east of the foot of a steep easterly slope and 557.5 feet west of monument No. 37. This monument marks the corner of the townships of Great Bend and Oakland, Susquehanna county, Pennsylvania. It is on line between the property of Abe Haxton and Stephen Bevens. This monument has heaved eight inches, otherwise it was found to be in good condition.

MONUMENT NO. 39 — HIGHWAY STONE 1.

Is a highway monument standing on the northeast side of a road which at this point follows the boundary line for a short distance. It is northwest from Locust Hill church and 100 feet east of Small brook. It is on line between property of Elias Eighmy and Addison Brush. This monument has heaved two inches, otherwise it was found to be in good condition.

MONUMENT NO. 40 — MILESTONE 16.

Is a small monument standing in a wet meadow about 250 feet west of where road leaves the boundary line and turns to the north, and 672.7 feet west of monument 39. It is on line between the property of H. E. Brush and N. W. Stone. This monument has southeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 41 — HIGHWAY STONE 1.

Is a highway monument standing on east side of wood road on northeast slope near the summit of the ridge, in thick woods, four feet northwest of blazed spruce. It is on the property of Marcus Colville. This monument has heaved two inches and has its southeast corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 42 — HIGHWAY STONE 2.

Is a highway monument standing on south side of a highway leading from Windsor to Great Bend. It is on the property of

Marcus Colville. This monument was found to be in good conditoin in every respect.

MONUMENT NO. 43 — MILESTONE 17.

Is a small monument standing in cleared field about forty feet from the brow, ten feet south of line fence, and about 100 feet west from bottom of slope. It is on line between the property of A. Judd and Marcus Colville. This monument was found to be in good condition in every respect.

MONUMENT NO. 44 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Great Bend to Windsor, on the west side of the valley and ten feet south of (line) fence. It is on line between the property of A. Judd and Marcus Colville. This monument has its northwest corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 45 — HIGHWAY STONE 2.

Is a highway monument standing on the east side and at the north end of a private road about 500 feet north of Keldur house. It is on line between the property of Yeager and Keldur. This monument has heaved three inches, otherwise it was found to be in good condition.

MONUMENT NO. 46 — MILESTONE 18.

Is a small monument standing in a bush lot near the southwest corner of a piece of woods, west side of a rocky summit near the brow of a high steep northwesterly slope, overlooking the valley of the east branch of Trowbridge creek. It is on line between the property of G. Andrews and Casey Keldur. This monument was found to be in good condition in every respect.

MONUMENT NO. 47 — HIGHWAY STONE 1.

Is a highway monument formerly standing on the east side of an old highway which follows the east branch of Trowbridge

creek. The line of the highway having been changed, the monument was reset on the west side of the present highway, 100 feet west of its original position and about 300 feet southwest of B. J. Roosa's house. It is on line between the property of B. J. Roosa and F. Millard. This monument was reset in perfect condition.

MONUMENT NO. 48 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of the main road leading from Great Bend to Windsor at its junction with road running easterly. It is on line between the property of Amos Frank and Frank Millard. This monument was found to be in good condition in every respect.

MONUMENT NO. 49 — MILESTONE 19.

Is a small monument standing on a very steep easterly slope in thick woods, 429 feet west of Trowbridge creek, fifteen feet southwest of fifteen-inch maple, and five feet northeast of six-inch maple, and 165 feet east of "Fantail Corner," which is a rough monument of native rock sixteen inches high, ten inches wide, and four inches thick, marking the corner of six Pennsylvania subdivisions. It is on line between the property of Squire and Flynn. This monument was found to be in good condition in every respect.

MONUMENT NO. 50 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a private road, seventy-five feet south of Flynn's house, and 250 feet east of a large barn. It is on line between the property of Squire and Flynn. This monument has heaved two inches, otherwise in good condition.

MONUMENT NO. 51 — TOWN STONE 1.

Is a small monument with diagonal grooves marking the corner of the towns of Kirkwood and Windsor in Broome county, New York. It stands in cleared field 442.4 feet west of monument No. 50, and 95.9 feet southwesterly from Squire's large barn. It is on line between the property of Squire and Flynn. This monument was found to be in good condition in every respect.

MONUMENT NO. 56 — RAILROAD STONE 1.

Is a small monument standing between the two tracks of the Delaware, Lackawanna and Western railroad and about 200 feet east of monument No. 37. It is badly broken on all sides, otherwise it was found in good condition.

MONUMENT NO. 57 — HIGHWAY STONE 2.

Is a highway monument standing on west side of river road on left hand bank of Susquehanna river about 150 feet north of Henry Forboss' house. It is on line between the property of Henry Forboss and William Schnediker. This monument was found to be in good condition in every respect.

MONUMENT NO. 58 — MILESTONE 21, AND TOWN STONE.

Is a small monument with diagonal grooves, standing at the north end of the summit of the high ridge between the Susquehanna river and Snake creek. It is in thick woods, twenty feet southeast of an eighteen-inch chestnut and ten feet southwest of a twelve-inch chestnut. It is on line between the property of Henry Forboss and William Schnedicker. This monument was found to be in good condition.

MONUMENT NO. 59 — HIGHWAY STONE NO. 1.

Is a highway monument standing on the east side of a highway, which is now but little used, about 600 feet east of Snake creek. It is on the property of Daniel English. This monument has heaved two inches, otherwise it was found in good condition.

MONUMENT NO. 60 — MILESTONE 22.

Is a highway monument standing on the west side of the Montrose and Binghamton turnpike and about 300 feet north of Sullivan's house. It is on line between the property of Lanchicken and Sullivan. This monument has heaved two inches and has its northeast and southwest corners badly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 61 — MILESTONE 23.

Is a small monument standing in a cleared field on level ground about 300 feet south of a creek which runs southeasterly and ten feet east of a north and south fence. It is on the property of Frederick Kaufman. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 62 — MILESTONE 24.

Is a small monument standing in a cleared field in a shallow gully, 330 feet east of monument 63, and twenty feet south of a wire fence. It is on the property of Charles Adams. This monument has heaved three inches, otherwise it was found to be in good condition.

MONUMENT NO. 63 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Brookdale to Conkling's Forks, about 800 feet north of Adams' house. It is on the property of Charles Adams. This monument was found to be in good condition in every respect.

MONUMENT NO. 64 — MILESTONE 25.

Is a small monument standing on the west edge of a swamp and on the east edge of a small poplar grove, twenty feet north of barb-wire fence, and about 1,000 feet northerly from Wilbur's house. It is on line between property of Eugene Wilbur and F. J. Fish. This monument was found to be in good condition in every respect.

MONUMENT NO. 65 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Brookdale to Binghamton, about twenty feet north of line fence. It is on line between the property of Eugene Wilbur and T. J. Fish. This monument has its four corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 66 — MILESTONE 26.

Is a small monument standing in thick woods, about 100 feet north of clearing and just below the top of a steep slope west and north opposite, and about 300 feet north of the bottom of a deep hollow in the road which runs nearly parallel with the line 398 feet west of the southeast corner of the town of Binghamton. It is on line between the property of T. J. Fish and George Buchanan. This monument was found to be in good condition.

MONUMENT NO. 67 — HIGHWAY STONE 1.

Is a highway monument standing on south side of boundary line road, and just where road turns to northeast on south side of panel fence. It is on line between the property of J. Conte and Alpheus Whipple. This monument was found to have heaved thirteen inches. It was reset in its proper position September, 1893.

MONUMENT NO. 68 — MILESTONE 27, AND TOWN STONE.

Is a small monument with diagonal grooves standing on south side of boundary line road under panel fence, and 197 feet west of monument No. 67. It marks the corners of the townships of Liberty and Silver Lake in Susquehanna county, Pennsylvania. It is on line between the property of J. Conte and Alpheus Whipple. This monument was found almost entirely out of the ground. It was reset in its original position September, 1893.

MONUMENT NO. 69 — HIGHWAY STONE 1.

Is a highway monument standing at the west end of boundary line road, 300 feet north of creek, and 250 feet north of Coyle's house. It is on line between the property of Peter Brady and Michael Coyle. This monument was found to be in good condition in every respect.

MONUMENT NO. 70 — MILESTONE 28.

Is a highway monument standing about twenty feet west of the west edge of a highway leading northerly to Binghamton in the

corner of line fence. It is on line between the property of James Chapman and Thomas Monihan. This monument was found to be in good condition in every respect.

MONUMENT NO. 71 — MILESTONE 29.

Is a small monument standing in cleared land upon westerly slope, 100 feet west of Summit, and three feet north of an old stone wall. It is on line between the property of B. Gagen and Thomas Gagen. This monument was found to be in good condition in every respect.

MONUMENT NO. 72 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Brackney to Hawleyton, 125 feet southwesterly from Thomas Gagen's house, and 1415 feet west of monument No. 71. It is on line between the property of T. Wilcox and Isaac Gage. This monument was found to be in good condition in every respect.

MONUMENT NO. 37 — MILESTONE 30.

Is a small monument standing in cleared pasture land seventy-five feet west of brook and 875 feet east of monument No. 74. It is on the property of T. Monihan. This monument was found to have heaved twelve inches, and it was reset September, 1893, in its original position.

MONUMENT NO. 74 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of Silver Lake road and near the northwest corner of large barn. It is on the property of Thomas Monihan. This monument has heaved eight inches, otherwise it was found to be in good condition.

MONUMENT NO. 75 — HIGHWAY STONE 2.

Is a highway monument standing on the south side of boundary line road, and at the point where it turns to the northeast. It is on line between the property of Michael Gannon and Frank Cameron. This monument has one side chipped, otherwise it was found to be in good condition.

MONUMENT NO. 76 — MILESTONE 31.

Is a highway monument standing on south side of Boundary line road and close to fence, 124 feet east of where brook crosses the road. It is on the property of William Laffy. This monument was found to be in good condition in every respect.

MONUMENT NO. 77 — MILESTONE 32 AND TOWN STONE.

Is a small monument with diagonal grooves, standing on the west side of the summit of the high ridge east of Choconut valley, about seventy-five feet west of summit and about fifty feet north of bend in fence. It is on line between the property of William Clarke and Samuel Lee. This monument has its corners chipped, otherwise it was found to be in good condition. This monument marks the corner of the towns of Hips, Silver Lake and Choconut, Susquehanna county, Penn.

MONUMENT NO. 78 — HIGHWAY STONE.

Is a highway monument standing on the west side of Choconut creek road, about 200 feet north of John Hinckey's house. It is on line between the property of John Hinckey and Samuel Mead. This monument was found to be in good condition in every respect.

MONUMENT NO. 79 — MILESTONE 33.

Is a small monument standing on the easterly side of the mountain west of the Choconut Creek valley, 935 feet west of creek and under "line" fence. It is on line between the property of Michael McGraw and F. Powell. This monument has heaved six inches, otherwise it was found to be in good condition.

MONUMENT NO. 80 — MILESTONE 34.

Is a small monument standing on rough easterly slope, covered with burnt woods, about eighty feet west of west branch of small creek and about 600 feet east of summit. It is on line between the property of John Dean and John Schnediker. This monument was found to be in good condition in every respect.

MONUMENT NO. 81 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway running northerly and southerly and just where it turns to the east. It is on the property of Joshua Underwood. This monument was found to be in good condition in every respect.

MONUMENT NO. 82 — MILESTONE 35.

Is a small monument standing in a cleared field at the top of a steep bluff sloping southeasterly in corner of worm fence and on the west side of the road leading to Thomas Dean's residence. It is on line between the property of Waffles and Dean. This monument was found to be in good condition in every respect.

MONUMENT NO. 83 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a private road which runs southerly from Tracey creek road and about 800 feet southwesterly of Eggleston's residence and alongside of line fence. It is on line between the property of Eggleston and Weed. This monument has heaved two inches; otherwise it was found to be in good condition.

MONUMENT NO. 84 — MILESTONE 36.

Is a small monument standing in an extensive briar patch on level ground 303 feet west of monument No. 83 and four feet north of line fence. It is on line between property of Eggleston and Weed. This monument was found to be in good condition in every respect.

MONUMENT NO. 85 — MILESTONE 37.

Is a small monument standing on a westerly slope in south edge of thick woods 300 feet east of a deep ravine and 1,028 feet east of monument No. 86. It is on line between the property of Jinks and Crimmins. This monument was found to be in good condition in every respect.

MONUMENT NO. 86 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Little Meadows to Apalachin, about 900 feet north of Crimmins' residence. It is on line between property of Jinks and Crimmins. This monument was found to be in good condition in every respect.

MONUMENT NO. 87 — COUNTY STONE 1.

Is a small monument with diagonal grooves, marking the corner of Broome and Tioga counties, New York. It stands on a gentle westerly slope about 1,600 feet west of summit of ridge in an open field under a stump fence running north and south, about six feet south of line fence and about forty feet south of large stone pile. It is on line between property of Jinks and Barden. This monument was found to have heaved seventeen inches. It was reset in its original position September, 1893.

MONUMENT NO. 52 — MILESTONE 20.

Is a small monument standing upon the Susquehanna river flats 654.4 feet east of monument No. 53, and under a wire fence. It is on line between the property of John Clyne and G. A. Wilcox. This monument has heaved three inches, otherwise it was found to be in good condition.

MONUMENT NO. 53 — HIGHWAY STONE 1.

Is a highway monument standing on east side of river road on right hand bank of Susquehanna river. It is 256.3 feet south and 142.3 feet east of the center of astronomical station, which is marked by a granite monument buried two and one-half feet under ground, 97.6 feet northwesterly from the northwesterly corner of the foundation of the main part of James Finn's house. It is on line between the property of John Clyne and G. S. Wilcox. This monument was found to be in good condition in every respect.

MONUMENT NO. 54 — RAILROAD STONE 1.

Is a small monument standing between the two tracks of the New York, Lake Erie and Western railroad. This monument has

its top buried six inches below the surface of the roadbed, and its corner slightly chipped, otherwise it was in good condition.

MONUMENT NO. 55 — MILESTONE 20 3-8.

Is a small monument standing at the east side of the base of the first latitude stone on river flats, twenty feet east of the right hand bank of the river, and sixty feet west of a hickory tree. It is on line between the property of John Clyne and G. S. Wilcox. This monument was found to be in good condition in every respect.

MONUMENT NO. 88 — MILESTONE 38.

Is a small monument standing on westerly slope on the east side of an abandoned wood road and near northeast corner of a clearing 809.6 feet west of monument No. 87, and five feet north of line fence. It is on line between property of Jinks and Borden. This monument was found to be in good condition in every respect.

MONUMENT NO. 89 — HIGHWAY STONE 1.

Is a highway monument standing on south side of boundary line road northeast of the village of Little Meadows, and about 100 feet east of Bowden's line. It is on line between the property of Bowden and Borden. This monument has its four corners chipped; otherwise it was found to be in good condition.

MONUMENT NO. 90 — MILESTONE 39.

Is a highway monument standing on the south side of fence on south side of boundary line road opposite the residence of Albert Card and forty feet west of where boundary line is crossed by Jones' creek. It is on line between the property of S. A. Pitchard and Albert Card. This monument was found to be in good condition in every respect.

MONUMENT NO. 91 — HIGHWAY STONE 1.

Is a highway monument standing on north side of boundary line road, and about seventy-five feet east of where it forks. It is on

line between the property of Duell and Pitchard. This monument has heaved five inches, otherwise was found to be in good condition.

MONUMENT NO. 92 — MILESTONE 39 1-2.

Is a small monument standing on westerly slope on south side of rail fence. It is on line between the property of Duell and Pitchard. This monument was found to have heaved twelve inches. It was reset in its original position September, 1893.

MONUMENT NO. 93 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Little Meadows to Apalachin, opposite the residence of D. Holland. It is on the property of John Giles. This monument has its northeast corner chipped, otherwise it was found in good condition.

MONUMENT NO. 94 — MILESTONE 40 AND COUNTY STONE.

Is a small monument with diagonal grooves standing on a steep northerly slope in the northeast corner of a piece of woods just west of the summit of the north end of the ridge west of Apalachin creek and at the west end of a line fence. It marks the corner of Susquehanna and Bradford counties, Pennsylvania. It is on line between the property of Hall and Holland. This monument was found to be in good condition in every respect.

MONUMENT NO. 95 — HIGHWAY STONE 1.

Is a highway monument standing on northwest side of a highway 1,000 feet north of Mayhew's house. It is on line between the property of P. Mayhew and Phoebe Stockwell. This monument was found to be in good condition in every respect.

MONUMENT NO. 96 — MILESTONE 41.

Is a small monument standing in a cove on the north side of a ridge near the foot of a steep northerly slope at the northeast corner of a clearing and six feet south of an old stone wall. It is on line between property of Noteman and Keeler. This monument was found to be in good condition in every respect.

MONUMENT NO. 97 — MILESTONE 42.

Is a small monument standing on level ground, 11.50 feet east of a summit of a ridge and about 1,450 feet east of monument No. 98, and just to the north of line fence. It is on line between the property of Alexander Giles and Clarence Corbin. This monument was found to have heaved twelve inches and to have been broken off two and one-half feet from the top. It was reset in this condition September, 1893.

MONUMENT NO. 98 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading to Owego at the northeast corner of an apple orchard and 400 feet south of Alexander Giles' house. It is on line between property of Alexander Giles and Clarence Corbin. This monument has heaved two inches, otherwise it was found in good condition.

MONUMENT NO. 99 — MILESTONE 43.

Is a highway monument standing on the west side of Owego and Milford turnpike, at its intersection with Prince's Hollow road. It is on line between the property of Harrington and Colburn. This monument was found to be in good condition in every respect.

MONUMENT NO. 100 — MILESTONE 44.

Is a highway monument standing on a steep easterly slope 120 feet west of brook, twenty-five feet east of road and two feet north of line fence. It is on the property of A. R. Gifford. This monument has heaved seven inches,, otherwise it was found in good condition in every respect.

MONUMENT NO. 101 — MILESTONE 45.

Is a highway monument standing on west side of road leading from Cadiz post-office to Montrose turnpike on top of summit of ridge overlooking the valley of Babcock creek, about 500 feet north of Holmes' house and near the most southerly of four small maples standing on the west side of the road. It is on the property of Thomas Holmes. This monument has heaved three inches, otherwise it was found in good condition.

MONUMENT NO. 102 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of the road which follows the valley of Babcock creek. It is on line between the property of Ore Brown and F. C. Waite. This monument has its northeast corner chipped, otherwise it was found in good condition.

MONUMENT NO. 103 — MILESTONE 46.

Is a highway monument standing on the west side of a highway leading from Waite's settlement to Owego and just south of a sluiceway which crosses the road; it marks the corner of the townships of Warren and Windham, Bradford county, Penn. It is on line between property of Mrs. A. Brown and Amos Condon. This monument has heaved two inches, otherwise it was found to be in good condition.

MONUMENT NO. 104 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading to Owego, about 200 feet north of the summit of a ridge. It is on line between property of Mrs. A. Brown and Amos Condon. This monument was found to be in good condition in every respect.

MONUMENT NO. 105 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of a highway leading from Cliff market to Owego, about 200 feet south of Walter Cliff's house. It is on line between property of Jerry Waite and Anson White. This monument was found to be in good condition in every respect.

MONUMENT NO. 106 — MILESTONE 47.

Is a small monument standing in an open field on level ground just south of line fence and 660 feet west of monument 105. It is on line between property of Jerry Waite and Anson White. This monument was found to have heaved twelve inches. It was reset in its original position September 12, 1893.

MONUMENT NO. 107 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway about 150 feet northeast of Waite's barn. It is on the property of George Waite. This monument was found to be in good condition in every respect.

MONUMENT NO. 108 — MILESTONE 48.

Is a small monument standing on an easterly slope at west edge of clearing, 175 feet west of brook and 2,356 feet east of monument 109. It is on line between the property of Fred. Olmstead and Thos. Lynch. This monument has heaved three inches, otherwise it was found to be in good condition.

MONUMENT NO. 109 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Linden to Waverly, about 300 feet north of Olmstead's house. It is on line between the property of Fred. Olmstead and Thomas Lynch. This monument was found to be in good condition in every respect.

MONUMENT NO. 110 — MILESTONE 49.

Is a small monument standing in thick woods at northeasterly edge of the nearly level summit of the ridge, east of the Wappasening valley, and about 3,020 feet west of monument 109. It is on line between the property of James Olmstead and Isaiah Reynolds. This monument was folund to be in good condition in every respect.

MONUMENT NO. 111 — MILESTONE 50.

Is a highway monument standing on the south side of boundary line road, close to a stone wall, and about ninety feet south of a barn. It is on line between property of James Morey and Robert Howell. This monument was found to be in good condition in every respect.

MONUMENT NO. 112 — HIGHWAY STONE 1.

Is a highway monument standing on south side of boundary line road at its junction with road leading south to Raysville. It is on line between property of James Morey and Robert Howell. This monument was found to be in good condition in every respect.

MONUMENT NO. 113 —HIGHWAY STONE 2.

Is a highway monument standing on the north side of boundary line road, at junction with road running north along the east bank of Wappasening creek, and about seventy-five feet southwest of J. H. Morey's house. It is on line between property of James Morey and Robert Howell. This monument has one of its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 114 — MILESTONE 51.

Is a small monument standing on easterly slope of the ridge west of Wappasening valley 2,000 feet east of the summit, on the south edge of woods, and about 600 feet north of a road which runs parallel with the boundary line towards the west, and at this point turns to the south and just south of line fence. It is on line between the property of Frank Briggs and Clinton Johnson. This monument was found to be in good condition in every respect.

MONUMENT NO. 115 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Nichols to Rome, and about 300 feet north of Barnes' residence. This monument has its northwest and southwest corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 116 — MILESTONE 52, AND TOWN STONE.

Is a small monument with diagonal grooves standing about half way up the low bluff east of Little Wappasening creek, 6,795 feet east of monument No. 117. It marks the corner of the townships of Windham and Litchfield, Bradford county, Pa. It is on line between the property of Scott Bennett and Johnson Rogers. This monument was found to be in good condition in every respect.

MONUMENT NO. 117 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of road along the west bank of Little Wappasening creek and about fifty feet northeast of Johnson Rogers' house. It is on line between the property of Scott Bennett and Johnson Rogers. This monument has its top two inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 118 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of the road which follows the left branch of Little Wappasening creek northerly into Nichols. This monument has its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 119 — MILESTONE 53.

Is a small monument standing under a stump fence in cleared land upon high ground, which is nearly level, and northwest of the west branch of Little Wappasening creek, 3,302 feet east of monument 120. This monument was found to be in good condition in every respect.

MONUMENT NO. 120 — HIGHWAY STONE 1.

Is a highway monument standing at the east end of boundary line road and on its south side. This monument was found to be in good condition in every respect.

MONUMENT NO. 121 — MILESTONE 54.

Is a highway monument standing on the south side of boundary line road. The northeast corner of C. Ellis' farm. It is on the property of C. Ellis. This monument has heaved seven inches, otherwise it was found to be in good condition.

MONUMENT NO. 122 — HIGHWAY STONE 1.

Is a highway monument standing at the west end of boundary line road, at its junction with a road running northerly and southerly, 640 feet west of monument No. 121. It is on the property of C. Ellis. This monument was found to be in good condition in every respect.

MONUMENT NO. 123 — MILESTONE 55.

Is a small monument standing upon a southerly slope under fence, about 110 feet south of barn, and about 100 feet east of the point at which a short piece of the boundary line road turns towards the northeast. It is on line between the property of A. D. Chandler and George Stauff. This monument was found to be in good condition in every respect.

MONUMENT NO. 124 — HIGHWAY STONE 1.

Is a highway monument standing at the west end of a short piece of boundary line road, just where it turns to the southwest, about 300 feet west of George Stauff's house. It is on line between property of A. D. Chandler and George Stauff. This monument has its southwest corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 125 — RIDGE STONE.

Is a small monument standing in a cleared field on the summit of high ridge overlooking the Susquehanna valley, fifteen feet north of line fence. It is on the property of A. Parks. This monument has its north side and east side badly chipped, and has heaved three inches, otherwise it is in good condition.

MONUMENT NO. 126 — HIGHWAY STONE 2.

Is a highway monument standing originally at the east end of boundary line road, the road having been changed. The monument now stands on the easterly side of the road running southeast into Pennsylvania, about twenty-eight feet west of Park's carriage-house. It is on the property of A. Park. This monument was found to be in good condition in every respect.

MONUMENT NO. 127 — MILESTONE 56.

Is a small monument standing a little to the north of the center of the road, which follows the boundary line road; it is twelve and seventy-five hundredths feet south of fence on north side of the road, and north sixty degrees west from an apple tree

standing on the south side of a road and 1,090 feet east of monument No. 128. It is on the property of A. Park. This monument has its top three inches below the surface of the road, and has its south side broken, otherwise it was found to be in good condition.

MONUMENT NO. 128 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of the river road on the left-hand bank of the Susquehanna river in front of a cemetery and at the west end of boundary line road. It is on the property of A. Park. This monument was found to be in good condition in every respect.

MONUMENT NO. 129 — RIVER STONE 1.

Is a small monument standing on the river flats about thirty feet east of the left-hand bank of the Susquehanna river in cleared field, and under a barbed wire fence. It is on line between the property of Mercum Park and Albrans Park. This monument has its north side chipped, otherwise it was found to be in good condition.

MONUMENT NO. 130 — RIVER STONE 2.

Is a small monument standing on high ground about fifty feet west of the right-hand bank of the Susquehanna river, and a little to the west of the north end of river road. It is on line between the property of Hill and Cook. This monument was found to be in good condition in every respect.

MONUMENT NO. 131 — MILESTONE 57.

Is a small monument standing in a cleared field on rolling ground, close to the north side of line fence, 2,175 feet west of monument 130, and sixty feet west of twenty-four-inch oak, standing on line. It is on line between the property of Hill and Walcott. This monument was found to be in good condition in every respect.

MONUMENT NO. 132 — RAILROAD STONE 1.

Is a small monument standing three feet east of the Southern Central railroad track on south edge of clearing. This monument has its top almost flush with the surface of the roadbed, and has its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 133 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Ellison to Waverly, fifteen feet south of line fence. It is on line between the property of Woodruff and Wilkinson. This monument was found to be in good condition in every respect.

MONUMENT NO. 134 — MILESTONE 58.

Is a small monument standing upon the steep west slope of a narrow gravel ridge in cleared field 1,550 feet east of monument No. 135, twenty feet east of a wild cherry standing on north side of line fence, and 165 feet east of a rough stone monument, with a cross upon its top, which marks the corner of subdivision of the Douglass military patent. It is on line between the property of Woodruff and Wilkinson. This monument was found to be in good condition in every respect.

MONUMENT NO. 135 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Sayre to Owego, fifteen feet west of Sluiceway. It is on line between the property of J. Bonnell and Charles Smith. This monument was found to be in good condition in every respect.

MONUMENT NO. 136 — RAILROAD STONE 1.

Is a small monument standing between the two tracks of the Delaware, Lackawanna and Western railroad, on a high embankment about 400 feet west of a cut, and slightly east of a small creek running northerly and southerly. This monument has its top about two inches above the surface of the roadbed, otherwise it was found to be in good condition.

MONUMENT NO. 137 — MILESTONE 59.

Is a small monument standing in an open cultivated field about 100 feet north of the high embankment of the Delaware, Lackawanna and Western railroad, and about seventy feet east of the Geneva, Ithaca and Sayre railroad. This monument was found to be in good condition in every respect.

MONUMENT NO. 138 — RAILROAD STONE 1.

Is a small monument standing between the two easterly tracks of the Geneva, Ithaca and Sayre railroad, and about 150 feet north of the Delaware, Lackawanna and Western railroad crossing. This monument has its north side slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 139 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of Cayuga avenue, in the village of Sayre, along the east side of a board walk, thirty feet south of Connell's grocery store. It is on the property of Connell. This monument has its southwest corner slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 140 — RAILROAD STONE 2.

Is a small monument standing between the two main tracks of the Lehigh Valley railroad and about 600 feet north of the Delaware, Lackawanna and Western railroad crossing. This monument has heaved two inches and has its corners slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 141 — HIGHWAY STONE 2.

Is a highway monument standing on the east side of Wilcox avenue, in the village of Waverly, about 150 feet south of Doyle street and ten feet west of fence. It is on line between property of Frank Hart and Mrs. McCarthy. This monument was found to be in good condition in every respect.

MONUMENT NO. 142 — HIGHWAY STONE 3.

Is a highway monument standing on the west side of Henry street in the village of Waverly about 200 feet south of Erie street, and ten feet east of fence. It is on the property of Mrs. Noonan. This monument has its east side slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 143 — HIGHWAY STONE 4.

Is a highway monument standing on the west side of Pennsylvania avenue in the village of Waverly, 150 feet south of bridge over the Erie railroad tracks, and ten feet east of fence. It is on the property of P. R. Atley. This monument was found to be in good condition in every respect.

MONUMENT NO. 144 — MILESTONE 60.

Is a small monument standing in the rear end of a garden which fronts north on Railroad avenue, in the village of Waverly, about 210 feet east of Fulton street, on the property of Mrs. Kinney. This monument was found to be in good condition in every respect.

MONUMENT NO. 145 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of Fulton street in the village of Waverly, 150 feet south of the Erie railroad tracks, ten feet west of Genung's sash and blind factory. It is on the property of Genung. This monument was found to be in good condition in every respect.

MONUMENT NO. 146 — HIGHWAY STONE 2.

Is a highway monument standing on the east side of Loder street, in the village of Waverly, fifteen feet west of the Erie house, and 100 feet south of the Erie railroad. This monument had its edges slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 147 — HIGHWAY STONE 3.

Is a highway monument standing on the top of cut of the Erie railroad five feet east of Bridge crossing, Chemung street, in the village of Waverly, and near a P. C. It is on the property of Erie railroad, otherwise it was found in good condition.

MONUMENT NO. 148 — HIGHWAY STONE 4.

Is a monument standing on the south side of Bradford street in the village of Waverly, about 390 feet east of monument 149. It is on line between the property of the Erie road and Delaware, Lackawanna and Western railroad. This monument was found to be in good condition in every respect.

MONUMENT NO. 149 — RAILROAD STONE 1.

Is a small monument standing between the two tracks of the Delaware, Lackawanna and Western railroad, about sixty feet northwest from the northwest corner of Gaff's ice-house. This monument has heaved four inches, and is badly chipped.

MONUMENT NO. 150 — SPANISH HILLS MONUMENT.

Is a highway monument standing on a small knoll extending northerly from the Spanish hills, sixty feet south of cut on Delaware, Lackawanna and Western railroad, and fifteen feet east of the old Spanish Hills monument, which is set at sixty and three-fourth miles. It is on the property of Delaware, Lackawanna and Western railroad. This monument was found to be in good condition in every respect.

MONUMENT NO. 151 — MILESTONE 60 7-8.

Is a small monument standing upon the river flats about fifty feet south of the high embankment of the Delaware, Lackawanna and Western railroad at the east end of the river bridge, and almost twenty-five feet east of the left-hand bank of the Chemung river. It is on the property of Delaware, Lackawanna and Western railroad. This monument was found to be in good condition in every respect.

MONUMENT NO. 152 — MILESTONE 61.

Is a small monument standing on the right-hand bank of the Chemung river on the foot of the slope of a high embankment of the Delaware, Lackawanna and Western railroad. It is buried under a pile of loose rock which has been used to strengthen the embankment. It is twenty-one and one-tenth feet south of the west abutment of the Delaware, Lackawanna and Western railroad bridge, and in line with a point six inches east of the face of the abutment above the bridge seat. This monument was found to be in good condition in every respect.

MONUMENT NO. 153 — RAILROAD STONE 1.

Is a small monument standing between two tracks of the Delaware, Lackawanna and Western railroad, on the high embankment west of the Chemung river, 294.9 feet east of whistle post, standing on north side of roadbed. This monument has its top buried six inches beneath the surface of the roadbed, and has its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 154 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading westerly from the village of Waverly, about 300 feet north of Delaware, Lackawanna and Western railroad in corner of fence. It is on property of Delaware, Lackawanna and Western railroad. This monument was found to be in good condition.

MONUMENT NO. 155 — MILESTONE 62.

Is a small monument standing on level ground, north side of a thick growth of bushes under line fence 2,335 feet east of monument 156. It is on line between property of Olmstead and Rogers. This monument was found to be in good condition in every respect.

MONUMENT NO. 156 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from the village of Waverly to Willawanna, just where road turns sharply to the south. It is on line between property

of Olmstead and Rogers. This monument was found to be in good condition in every respect.

MONUMENT NO. 157 — RIVER STONE 1.

Is a small monument standing on the right-hand bank of the second intersection of the Chemung river, about fifty feet east of river, and under a line fence. It is on line between property of Olmstead and Shepard. This monument was found to be in good condition in every respect.

MONUMENT NO. 158 — MILESTONE 63.

Is a highway monument standing on the east side of private road about 500 feet south of Wynkoop creek and about 950 feet west of the left-hand bank of Chemung river and under line fence. It is on the property of Shepard. This monument was found to be in good condition in every respect.

MONUMENT NO. 159 — MILESTONE 64.

Is a small monument standing on level ground in cleared land four feet south of a stone wall and 704 feet east of monument 160. It is on the property of William Hulbert. This monument was found to be in good condition in every respect.

MONUMENT NO. 160 — HIGHWAY STONE 1.

Is a highway monument on west side of a road leading southerly from the village of Chemung about thirty feet west of an apple tree, which stands alongside the fence on the east side of the road, about 250 feet northwest from Hulbert's house. It is on line between property of J. R. Hulbert and H. Baker. This monument was found to be in good condition in every respect.

MONUMENT NO. 161 — HIGHWAY STONE 2.

Is a highway monument standing on west side of river road, leading from the village of Chemung to Williwanna, about 100 feet southeasterly from Purcell's house. It is on line between property of Sarah McDuff and A. Purcell. This monument was found to be in good condition in every respect.

MONUMENT NO. 162 — MILESTONE 65.

Is a small monument with diagonal grooves, standing in cultivated ground under line fence about one-fourth of a mile west of monument No. 161. It marks the corner of the townships of Athens and Ridgebury, Bradford county, Pennsylvania. It is on line between property of Sarah McDuff and A. Purcell. This monument was found to be in good condition in every respect.

MONUMENT NO. 163 — RAILROAD STONE 1.

Is a small monument standing between the two tracks of the Delaware, Lackawanna and Western railroad. This monument has its top buried five inches beneath the surface of the roadbed, and its four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 164 — MILESTONE 66.

Is a small monument standing in a thick woods on a steep northeasterly slope, 396 feet east of the northeast corner of a small clearing, east of the summit of a ridge. It is on line between the property of Davidson and Herrick. This monument was found to be in good condition in every respect.

MONUMENT NO. 165 — HIGHWAY STONE 1.

Is a highway monument standing on southwest side of a road which is now but little used and at the northeast corner of a wire fence. It is on line between property of Davidson and Herrick. This monument has its edges slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 166 — MILESTONE 67.

Is a small monument standing in thick woods upon a northwesterly slope, about 250 feet west of an abandoned wood road, and a brook in a deep ravine. It is on line between the property of Davidson and Herrick. This monument was found to be in good condition in every respect.

MONUMENT NO. 167 — HIGHWAY STONE 1.

Is a highway monument standing in the center of a road running southwesterly, and just where it turns sharply to the south. It is on line between proerty of James Burke and Mrs. Case. This monument was found to be in good condition in every respect.

MONUMENT NO. 168 — MILESTONE 68.

Is a small monument standing on the south edge of thick young woods, in the northeast corner of a bush lot five feet north of a worm fence, and at the northeast corner of Rayne's farm. It is on the line between property of Rayne and Burke. This monument was found to be in good condition in every respect.

MONUMENT NO. 169 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of road leading southerly from Wellsburg on southwest slope. It is on line between the property of Daniel Caldwell and John O'Brien. This monument was found to have heaved five inches, otherwise it was in good condition.

MONUMENT NO. 170 — MILESTONE 69.

Is a small monument standing in thick woods on a steep northeasterly slope about 635 feet west of a brook in deep ravine. It is on line between the property of Daniel Caldwell and Samuel Caldwell. This monument was found to be in good condition in every respect.

MONUMENT NO. 171 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of the Bentley creek road on a steep westerly slope, and at south edge of a clearing. It is on line between property of Joseph Prescott and David Burt. This monument was found to be in good condition in every respect.

MONUMENT NO. 172 — HIGHWAY STONE 2.

Is a highway monument standing on the east edge of a highway leading from Wellsburg to Troy, along the west edge of

Bentley creek, about in front of the residence of Lyman Dewey. It is on property of Lyman Dewey. This monument was found to be in good condition in every respect.

MONUMENT NO. 173 — MILESTONE 70.

Is a small monument standing in an open field high up on a steep easterly slope overlooking the valley of Bentley creek, 279 feet east of monument No. 174. It is on property of Lyman Dewey. This monument was found to be in good condition in every respect.

MONUMENT NO. 174 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a steep road near the summit of a high ridge west of the valley of Bentley creek. It is on line between property of Ellsworthy and Arnot. This monument was found to be in good condition in in every respect.

MONUMENT NO. 175 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of a telegraph road, which at this point runs southwesterly. It is on line between property of Wellsbury and Arnot. This monument has its south side slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 176 — HIGHWAY STONE 3.

Is a highway monument standing on the east side of a telegraph road and about 500 feet north of Coleman's house. It is on line between property of Coleman and Elliott. This monument was found to be in good condition in every respect.

MONUMENT NO. 177 — MILESTONE 71.

Is a small monument standing in cleared land on a gentle southerly slope just south of the corner of stump fence, close beside a small hickory tree and 1,175 feet west of monument 176.

It is on line between property of Charles Coleman and Richard Coleman. This monument was found to be in good condition in every respect.

MONUMENT NO. 178 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway running southerly and about 450 feet south of a road which up to this point parallels the boundary line for about three-quarters of a mile from the east. It is on line between the property of James Suffern and Gilbert Coleman. This monument was found to be in good condition in every respect.

MONUMENT NO. 179 — MILESTONE 72.

Is a small monument standing in a gap in a stone wall south side of a piece of woods. North side of a lane on a steep northwesterly slope, and about 800 feet west of the summit of the ridge east of South creek. It is on the property of James Suffern. This monument was found to be in good condition in every respect.

MONUMENT NO. 180 — HIGHWAY STONE.

Is a highway monument standing on the east side of the main road leading from Fassett to Elmira, and sixty feet northeast of Kretty's residence. It is on the property of James Suffern. This monument has heaved two inches, and is slightly chipped; otherwise it was found to be in good condition.

MONUMENT NO. 181 — RAILROAD STONE.

Is a small monument standing on the west side of the Northern Central railroad track. This monument is badly chipped; otherwise it was found to be in good condition.

MONUMENT NO. 182 — MILESTONE 73.

Is a small monument standing at the east edge of a summit of the high steep ridge west of South creek valley, 1,650 feet west of creek, and at south end of barb wire fence, which runs along the east edge of summit of ridge. It is on line between property of

Costello and Miles Rouskey. This monument was found to be in good condition in every respect.

MONUMENT NO. 183 — MILESTONE 74.

Is a small monument standing in a narrow place in a swamp in a deep valley in cleared land about fifteen feet west of brook and under a stump fence. On line between property of Ira Woods and Mrs. Ray Managon. This monument heaved six inches, otherwise in good condition.

MONUMENT NO. 184 — HIGHWAY STONE 1.

Is a highway monument standing at the east end of boundary line road on the north side under stump fence and 1,180 feet west of monument No. 183. It is on line between property of Joshua Shearer and James Hunt. This monument was found to be in good condition.

MONUMENT NO. 185 — HIGHWAY STONE 2.

Is a highway monument standing on north side of boundary line road at its junction with road running northerly to Elmira. It is on line between property of Shearer and Brewer. This monument has its northeast and southeast corners chipped; otherwise it was found to be in good condition.

MONUMENT NO. 186 — MILESTONE 75, AND TOWN STONE.

Is a highway monument standing on the north side of boundary line road on left bank of ravine thirty-three feet west of the original milestone, which is at the bottom of a ravine close to the north side of road embankment. The original milestone marks the corner of the townships of South Creek and Wells, Bradford county, Pennsylvania. It is on the property of Benjamin Seitzer. This monument was found to be in good condition in every respect.

MONUMENT NO. 187 — HIGHWAY STONE 1.

Is a highway monument standing at the west end of boundary line road. It is on line between property of A. D. Grisnold and

Benjamin Seitzer. This monument has heaved four inches, and all corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 188 — MILESTONE 76.

Is a small monument standing on a westerly slope in cleared field about 700 feet west of the summit and fifteen feet south of worm fence. It is on line between the property of Palmer and Eaton. This monument has heaved eight inches, otherwise it was found to be in good condition.

MONUMENT NO. 189 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of Bird creek road, 125 feet south of where brook crosses road and about 100 feet north of Smith's house. It is on line between property of Mrs. Smith and Cowe. This monument has its four corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 190 — MILESTONE 77.

Is a small monument standing in cleared level land in bottom of Bird creek valley, 204.5 feet west of monument 198. It is on the property of Mrs. Smith. This monument was found to be in good condition in every respect.

MONUMENT NO. 191 — HIGHWAY STONE 1.

Is a highway monument standing on west side of the Nichols road, four feet north of stone wall. It is on line between the property of Norman Davy and Columbus Nichols. This monument was found to be in good condition in every respect.

MONUMENT NO. 192 — MILESTONE 78.

Is a small monument standing in a small hollow in cleared land about 700 feet east of the summit of the very high, steep ridge, east of Seely creek on north side of line fence. It is on the property of Reuben Berry. This monument has heaved two inches, otherwise it was found to be in good condition.

MONUMENT NO. 193 — HIGHWAY STONE 1.

Is a highway monument standing on east side of the Elmira plank road, 150 feet south of State Line hotel. It is on line between property of Mary Weeks and A. J. Pedrick. This monument was found to be in good condition in every respect.

MONUMENT NO. 194 — RAILROAD STONE 1.

Is a small monument standing on east side of the track of the Tioga branch of New York, Lake Erie and Western railroad, about 200 feet north of State Line railroad station. This monument was found to be in good condition in every respect.

MONUMENT NO. 195 — MILESTONE 79.

Is a highway monument standing on the west side of lightly traveled road upon a bank 450 feet west of monument No. 194, seventy-five feet south of gate in road and at east end of stone wall. It is on line between property of Wilson and Roy. This monument was found to be in good condition in every respect.

MONUMENT NO. 196 — HIGHWAY STONE 1.

Is a highway monument standing about twenty feet east of the north end of a highway leading south into Millerton in cultivated field. It is on the property of Nathaniel Wilson. This monument has its south side chipped, otherwise it was found to be in good condition.

MONUMENT NO. 197 — MILESTONE 80.

Is a highway monument standing in a narrow swamp upon the south side of a highway laid out along the boundary line, but not worked, and about 1,150 feet west of monument 196. It marks the corners of Bradford and Tioga counties, Pennsylvania. It is on line between property of James McSolly and Alvin Miller. This monument has heaved three inches, otherwise it was found to be in good condition.

MONUMENT NO. 198 — HIGHWAY STONE 1.

Is a highway monument standing at west end of boundary line at its junction with road running southerly to Millerton. It is on line between property of Alvin Miller and Thaddeus Mitchell. This monument was found to be in good condition in every respect.

MONUMENT NO. 199 — MILESTONE 81.

Is a small monument standing on the east side of the narrow summit of the high ridge at the southeast corner of a piece of woods alongside of worm fence, and 990 feet west of monument 198. It is on line between property of Alvin Miller and Alexander Lewis. This monument was found to be in good condition in every respect.

MONUMENT NO. 200 — HIGHWAY STONE 1.

Is a highway monument standing on east side of highway on steep southerly slope about 150 feet west of the residence of Mrs. Russell. It is on line between the property of Jamuel Josh and Charles Bly. This monument was found to be in good condition in every respect.

MONUMENT NO. 201 — MILESTONE 82. AND COUNTY STONE.

Is a highway monument standing on the east side of a road running south about 500 feet south of the summit. It marks the corner of the counties of Chemung and Steuben, New York. It is on line between property of Samuel Miller and Frank Allen. This monument has its four corners slightly chipped; otherwise it was found to be in good condition.

MONUMENT NO. 202 — MILESTONE 83.

Is a small monument standing about ten feet north of line fence in cleared land upon the summit of a low ridge which crosses the boundary line diagonally. This monument was found to be in good condition in every respect.

MILESTONE NO. 203 — MILESTONE 84.

Is a small monument standing in an open field south of fence in the rear (north) of a dwelling house, and 825 feet from the point at which the boundary line turns to the southeast. It is on line between property of Simon Nichols and Mrs. Anna Comfort. This monument was found to be in good condition in every respect.

MONUMENT NO. 204 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of boundary line road about 300 feet east of the residence of Albert Buchanan. It is on line between the property of Simon Nichols and Mrs. Anna Comfort. This monument has its northwest corner slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 205 — HIGHWAY STONE 2.

Is a highway monument standing on south side of boundary line road at its junction with road running northerly, and about 150 feet southeast of a small frame school-house. It is on line between property of Eugene Tobey and S. L. Kelly. This monument was found to be in good condition in every respect.

MONUMENT NO. 206 — MILESTONE 85.

Is a small monument standing on south side of boundary line road, about 350 feet east of brook, which crosses road, and fifteen feet north of wire fence on south side of road. It is on line between property of Eugene Tobey and Christopher Tobey. This monument was found to be in good condition in every respect.

MONUMENT NO. 207 — HIGHWAY STONE 1.

Is a highway monument standing on south side of boundary line road at its junction with road running southwesterly into Pennsylvania. It is on line between the property of Patrick Mahar and Christopher Tobey. This monument was found to be in good condition in every respect.

MONUMENT NO. 208 — HIGHWAY STONE 2.

Is a highway monument standing at west end of boundary line road. It is on line between the property of Patrick Mahar and Christopher Tobey. This monument was found to be in good condition in every respect.

MONUMENT NO. 209 — MILESTONE 86.

Is a small monument standing on a westerly slope 800 feet west of summit at south edge of thick woods under a stump and stone fence. It is on line between property of Charles Andrews and David Hulsander. This monument was found to be in good condition in every respect.

MONUMENT NO. 210 — MILESTONE 87.

Is a small monument standing near the bottom of a bluff at the east side of a narrow swamp, 237.4 feet east of monument No. 211. It is on line between property of Niles and Rockwell. This monument has its southeast corner badly broken, otherwise it was found to be in good condition.

MONUMENT NO. 211 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a highway about 300 feet south of Niles' residence. It is on line between property of Niles and Rockwell. This monument was found to be in good condition in every respect.

MONUMENT NO. 212 — MILESTONE 88, AND TOWN STONE.

Is a small monument with diagonal grooves standing in the southeast corner of a piece of woods, northwest corner of a brush lot and at south end of stump fence. It is on line between property of Garry Schumaker and Andrew Maxwell. This monument marks the corners of Caton and Lindley, Steuben county, New York. This monument was found to be in good condition in every respect.

MONUMENT NO. 213 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a road leading from Lawrenceville to Elmira. It is on line between property of Harrison Siger and Albertus Paliff. This monument was found to be in good condition in every respect.

MONUMENT NO. 214 — MILESTONE 89.

Is a small monument standing in cleared field on southeasterly slope of the ridge east of the Tioga river, 600 feet from summit and at southeast corner of fence. It is on line between property of John Tillon and Mrs. Ellison. This monument was found to be in good condition in every respect.

MONUMENT NO. 215 — HIGHWAY STONE 1.

Is a highway monument standing on west of a highway leading from Lawrenceville to Elmira, and just where the highway turns sharply to the south. It is on line between property of Sam Coons and A. Ward. This monument was found to be in good condition in every respect.

MONUMENT NO. 216 — RAILROAD STONE 1.

Is a highway monument standing at the northwest corner of the Erie railroad station in the village of Lawrenceville. This monument is slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 217 — RIVER STONE 1.

Is a small monument standing upon the river flats about 100 feet west of the left hand bank of the Tioga river in a garden seventy-five feet northeast of the residence of W. S. Smith and three feet south of line fence. It is on line between property of W. S. Smith and B. H. Parkhurst. This monument was found to be in good condition in every respect.

MONUMENT NO. 218 — MILESTONE 90.

Is a small monument standing about 100 feet north of State street in the village of Lawrenceville, at the northeast corner of

Hallenbeck's barn and about 1,260 feet east of monument 219. It is on line between property of Kuehl and Harraway. This monument was found to be in good condition in every respect.

MONUMENT NO. 219 — HIGHWAY STONE 1.

Is a highway monument standing on west side of Main street in the village of Lawrenceville, about 500 feet south of bridge crossing the Cowanesque river. It is on line between property of Parkhurst and Hill. This monument was found to be in good condition.

MONUMENT NO. 220 — RIVER STONE 1.

Is a small monument standing on the river flats about 100 feet of the Cowanesque river, seventy-five feet north of the residence of Niles Freeling, and fifteen feet east of a large elm tree. It is on line between property of Niles Freeling and B. H. Parkhurst. This monument has heaved six inches, otherwise it was found to be in good condition.

MONUMENT NO. 221 — HIGHWAY STONE 2.

Is a highway monument standing on northwest side if Cowanesque river road, northwest of grist mill. It is on line between property of Eaton and Ellison. This monument has its southeast corner badly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 222 — MILESTONE 91.

Is a small monument standing on a steep southerly slope in open woods about 250 feet west of the crest of the ridge, and about 250 feet south of a clearing on the summit, on line between property of Eaton and Ellison. This monument was found to be in good condition in every respect.

MONUMENT NO. 223 — HIGHWAY STONE 1.

Is a small monument standing in thick woods on the northeast side of abandoned wood road on line between property of Wood

and Watson. This monument was found to be in good condition in every respect.

MONUMENT NO. 224 — HIGHWAY STONE 2.

Is a small monument standing on east side of lately abandoned wood road, in line between property of Wood and Watson. This monument was found to be in good condition in every respect.

MONUMENT NO. 225 — MILESTONE 92.

Is a small monument standing in thick woods on a gentle westerly slope, 125 feet west of a clearing on line between property of Ford and Stewart. This monument was found to be in good condition in every respect.

MONUMENT NO. 226 — HIGHWAY STONE 1.

Is a highway monument standing at the east end of boundary line road on south side of road, at north edge of woods, and 150 feet east of Baker's residence, on line between property of Lagrana Brant, and S. A. Baker. This monument has heaved eight inches; otherwise it was found to be in good condition in every respect.

MONUMENT NO. 227 — MILESTONE 93.

Is a highway monument standing in the east edge of bushy woods on south side of boundary line road near the top of a westerly slope, and about 150 feet southwest of Sliter's residence. It is on line between property of Ruth Sliter and Charles Baker. This monument was found to be in good condition in every respect.

MONUMENT NO. 228 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of boundary line road, at its junction with road running southerly. It is on line between property of Daniel Stoddard and George Star. This monument has its northeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 229 — MILESTONE 94 AND TOWN STONE.

Is a highway monument standing on north side of boundary line road about 275 feet east of the summit of the ridge. It marks the corner of the towns of Lindley and Tuscarora, Steuben county, New York. It is on line between property of Samuel Morehouse and Edwin Baker. This monument was found to be in good condition in every respect.

MONUMENT NO. 230 — HIGHWAY STONE 1.

Is a highway monument standing on north side of boundary line road on steep westerly slope, and at junction with road running northerly. It is on line between property of Alvin O'Dell and Edwin Thomas. This monument was found to be in good condition in every respect.

MONUMENT NO. 231 — MILESTONE 95.

Is a highway monument standing on north side of boundary line road thirty feet east of the southeast corner of a grove of pines which stands about on the summit. It is on line between property of William Price and Augustus Cluago. This monument was found to be in good condition in every respect.

MONUMENT NO. 232 — HIGHWAY STONE 1.

Is a highway monument standing on north side of boundary line road at its west end and at the junction of road leading southwest into the village of Nelson, 203 feet west of monument 231, on line between property of William Pierce and Augustus Senago. This monument has its southeast and southwest corners chipped, otherwise it was found in good condition.

MONUMENT NO. 233 — MILESTONE 96.

Is a small monument standing on gentle westerly slope south side of a piece of woods under a stump fence 1,354 feet east of monument 234, and at Pennsylvania farm corner. It is on line between property of Baxter and Hoyt. This monument was found to be in good condition in every respect.

MONUMENT NO. 234 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway running northerly from the village of Nelson on top of the summit. It is on the property of Harry Baxter. This monument has its southwest corner chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 235 — HIGHWAY STONE 2.

Is a highway monument standing on the east side of a highway which follows the east bank of Baldwins's creek. It is on the property of Harry Baxter. This monument was found to be in good condition in every respect.

MONUMENT NO. 236 — MILESTONE 97.

Is a small monument standing in a clay swamp, at bottom of deep valley about 225 feet west of monument 235 and 230 feet west of brook and about twenty-five feet north of fence. It is on line between property of Harry Baxter and H. S. Bristol. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 237 — RAILROAD STONE 1.

Is a small monument standing on the west side of the track of the Addison and Northern Pennsylvania (narrow gauge) railroad. This monument was found to be in good condition in every respect.

MONUMENT NO. 238 — MILESTONE 98.

Is a small monument standing in a small cleared field, gentle southeasterly slope three feet north of line fence, and 158 feet east of woods. It is on line between the property of T. Cummings and C. M. Preston. This monument was found to be in good condition in every respect.

MONUMENT NO. 239 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading northerly from Elkland to Addison and 300 feet south of

Summit. It is on line between property of John Cummings and Daniel Tubbs. This monument has its northwest corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 240 — MILESTONE 99.

Is a small monument standing on steep westerly slope in cleared field thirty feet west of west edge of woods and 152 feet east of monument 241. It is on line between property of O. H. Patterson and D. H. Bates. This monument was found to be in good condition in every respect.

MONUMENT NO. 241 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of the main road leading northerly from Elkland to Addison, and about 500 feet north of bridge crossing brook. It is on line between property of O. H. Patterson and D. H. Bates. This monument was found to be in good condition in every respect.

MONUMENT NO. 242 — MILESTONE 100 AND TOWN STONE.

Is a small monument standing originally in the bed of a brook, having been carried away on several occasions by the freshets. It was set October 4, 1893, 100 feet east of its original position on the west side of a highway leading northwest from the village of Elkland. An iron bar six feet long and one and one-half inches in diameter was placed in the original position of milestone 100, driven in the ground about five feet. This bar marks the corners of towns of Tuscarora and Woodhull, Steuben county, New York. This milestone was left standing in perfect condition. The highway monument which stood just to the west was removed, because it stood on road which is now abandoned.

MONUMENT NO. 243 — MILESTONE 101.

Is a small monument standing in cleared land on south side of an apple orchard on gentle southerly slope 221.4 feet east of monument No. 244. It is on line between property of Hoyt Tubbs and

Mrs. L. D. Mack. This monument has its northwest corner chipped and has heaved six inches, otherwise it was found to be in good condition.

MONUMENT NO. 244 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading southerly to Osceola, and about 100 feet southwest from Mack's house. It is on line between property of Hoyt Tubbs and Mrs. L. D. Mack. This monument was found to be in good condition in every respect.

MONUMENT NO. 245 — HIGHWAY STONE 2.

Is a highway monument on the west side of a highway twenty-five feet east of creek and fifty feet southwest of James Whitmore's house. It is on the property of James Whitmore. This monument has its edges slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 246 — MILESTONE 102 AND TOWN LINE.

Is a small monument with diagonal grooves, standing in a small grove of saplings about 150 feet east of an open field, 900 feet west of the summit of a high ridge and about ten feet north of thick woods. It marks the corner of Osceola and Durfield, in Tioga county, Pennsylvania. It is on line between property of Ed. Tubbs and Peter Spears. This monument was found to be in good condition in every respect.

MONUMENT NO. 247 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a highway on slight westerly slope about 400 feet east of the residence of J. Baker. It is on line between property of E. Baker and Ed. Tubbs. This monument was found to be in good condition in every respect.

MONUMENT NO. 248 — MILESTONE 103.

Is a small monument standing in cleared field at the foot of a steep westerly slope, 240 feet east of brook and under line fence

It is on line between the property of Russell and Taylor. This monument has heaved eleven inches, but stands firmly, otherwise it was found to be in good condition.

MONUMENT NO. 249 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway which leads northerly along the west bank of Catlin creek and about 300 feet west of creek. It is on line between property of Robert Baker and G. Catlin. This monument has heaved seven inches, otherwise it was found in good condition.

MONUMENT NO. 250 — MILESTONE 104.

Is a small monument standing on an easterly slope under line fence and at junction of fence running south 568.8 feet west of monument No. 249. It is on line between property of Baker and Humphreys. This monument has heaved seven inches, otherwise it was found in good condition.

MONUMENT NO. 251 — MILESTONE 105.

Is a small monument standing on level ground on the northeast side of a summit of a high, steep ridge in young woods, northwesterly from eight pine trees. It is on line between the property of J. W. Hammond and G. W. Bowman. This monument was found to be in good condition in every respect.

MONUMENT NO. 252 — MILESTONE 106.

Is a small monument standing on a steep northeasterly slope in a wilderness of bushes and dead trees, about 125 feet north of wood road and north fifty-one degrees west, 21.5 feet west of a living hemlock twenty-four inches in diameter, and about 475 feet west of lower road in a narrow cleared strip about thirty feet wide. It is on line between property of Moonhouse and J. W. Hammond. This monument was found to be in good condition in every respect.

MONUMENT NO. 253 — SUMMIT STONE.

Is a small monument standing on level ground on top of summit of very high ridge about fifty feet south of the brow of the summit, overlooking the boundary twenty miles to the east. It is on line between property of Billings and Gardner. This monument was found to be in good condition in every respect.

MONUMENT NO. 254 — MILESTONE 107.

Is a small monument standing in the south edge of cleared land and north edge of grove of young saplings. It is on line between property of Hurst and Billings. This monument has heaved seven inches, otherwise it was found to be in good condition.

MONUMENT NO. 255 — HIGHWAY STONE 1.

Is a highway monument standing at the east end of boundary line road, and south end of road running northerly. It is sixteen and five-tenths feet east of the corner of the towns of Woodhull and Troupsburg, in Steuben county, New York. It is on line between property of C. M. Woods and Daniel Billings. This monument was found to be in good condition in every respect.

MONUMENT NO. 256 — HIGHWAY STONE 2.

Is a highway monument standing on northwest side of a road running southwesterly about twenty-five feet southwest of the west end of boundary line road. It is on line between property of Irving Jordan and Henry McFall. This monument was found to be in good condition in every respect.

MONUMENT NO. 257 — MILESTONE 108.

Is a small monument standing in cleared land on a steep southerly slope, and about 800 feet north of road running southwesterly. It is on line between the property of M. B. Jordan and William Lattimore. This monument has heaved three inches, and has its northwest corner chipped, otherwise it was found in good condition.

MONUMENT NO. 258 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from Austinbury to Addison. It is on the property of R. P. Schooner. This monument was found to be in good condition in every respect.

MONUMENT NO. 259 — MILESTONE 109.

Is a small monument standing in cleared land at the west edge of the summit of a gravel bluff, north of Troup's creek, 978 feet west of monument No. 258. It is on line between property of H. Murdock and Ed. Murdock. This monument was found to be in good condition in every respect.

MONUMENT NO. 260 — HIGHWAY STONE 1.

Is a highway monument standing on westerly side of a highway leading from South Troupsburg to Austinburg. It is on line between property of H. B. Murdock and Ed. Murdock. This monument was found to be in good condition in every respect.

MONUMENT NO. 261 — MILESTONE 110.

Is a small monument standing on the southerly slope between two small knolls, spurs of the main bluff, about 150 feet north of a road running into Pennsylvania. It is on line between property of Edward Murdock and Rhen. Cowen. This monument was found to be in good condition in every respect.

MONUMENT NO. 262 — MILESTONE 111.

Is a small monument standing near the foot of a northwesterly slope of a high ridge bounding a semicircular cove on the south in cleared land. It is on line between the property of H. Card and W. C. Seeley. This monument has heaved four inches, and has its four corners slightly chipped, otherwise it was in good condition.

MONUMENT NO. 263 — MILESTONE 112.

Is a small monument standing on south edge of open woods on nearly level ground, and about 1,000 feet north of highway,

paralleling the boundary into Pennsylvania. It is on line between the property of Cynthia Dougherty and T. Hubbard. This monument was found to be in good condition in every respect.

MONUMENT NO. 264 — MILESTONE 113.

Is a small monument standing in the north edge of thick woods on a little knoll just south of a swampy brook on a southeasterly slope and about 200 feet east of large heavy woods in New York. It is on line between property of Hiram Morton and A. J. Mintyne. This monument was found to be in good condition in every respect.

MONUMENT NO. 265 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading northerly from Brookfield. It is on line between the property of Mrs. E. G. Cady and Mrs. Melvine. This monument has heaved three inches; otherwise it was found to be in good condition.

MONUMENT NO. 266. — MILESTONE 114.

Is a small monument standing near the top of a southeasterly slope, 1,528.5 feet east of monument 267. It is on line between property of Ralph McCullough and Robert Ramsey. This monument was found to be in good condition in every respect.

MONUMENT NO. 267 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of the west highway leading north from Brookfield post-office. It is on line between property of Ralph McCullough and Melvin Baker. This monument was found to be in good condition in every respect.

MONUMENT NO. 268 — MILESTONE LL5 AND COUNTY STONE.

Is a small monument with diagonal grooves standing on a steep northwesterly slope, on north edge of thick woods, about 100 feet west of the summit of the ridge. It marks the corners of Potter and Tioga counties, Pa. It is on line between property of C. P. Gill and Ralph McCullough. This monument was found to be in good condition in every respect.

MONUMENT NO. 269 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading northerly from North Fork post-office. It is on line between the properties of Daniel Chase and George Lewis. This monument has its four corners chipped; otherwise it was found to be in good condition.

MONUMENT NO. 270 — MILESTONE 116.

Is a small monument standing on steep westerly slope about 500 feet east of monument No. 271. It is on line between property of George A. Carr and William P. Chase. This monument has heaved six inches, and has its northwest corner slightly chipped; otherwise it was found to be in good condition.

MONUMENT NO. 271 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway, leading up to the valley of the north fork of the Cowanesque river. It is on the property of George A. Carr. This monument was found to be in good condition in every respect.

MONUMENT NO. 272 — TOWN STONE.

Is a small monument with diagonal grooves marking the corner of the towns of West Union and Troupsburg, Steuben county, New York. It is on line between property of Reuben Stiles, George A. Carr and Nathan Allen. This monument was found to be in good condition in every respect.

MONUMENT NO. 273 — MILESTONE 117.

Is a small monument standing on southwesterly slope in open woods about 200 feet east of wood road, and about 400 feet east of the corner of a clearing. It is on line between property of A. Saxton and Walter Sathen. This monument was found to be in good condition in every respect.

MONUMENT NO. 274 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from North Fork to Rexfield. It is on line between prop-

erty of A. Saxton and Walter Sathen. This monument has heaved four inches and has its southwest corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 275 — MILESTONE 118.

Is a small monument standing in thick woods on a very steep northerly slope about two-thirds down the ridge, and about where the ridge slopes east and west, about 400 feet east of a clearing and 500 feet south of creek. It is on the property of J. N. Gill. This monument was found to be in good condition in every respect.

MONUMENT NO. 276 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of an abandoned wood road, about 2,000 feet west of monument No. 275. It is on line between the property of Stetson and R. Smith. This monument has heaved four inches, otherwise it was found to be in good condition.

MONUMENT NO. 277 — HIGHWAY STONE 2.

Is a highway monument standing on west side of a highway leading from Whitesville to Harrison Valley. It is on line between the property of John Riley and R. Smith. This monument was found to be in good condition in every respect.

MILESTONE NO. 278 — MILESTONE 119.

Is a small monument standing at the south side of a garden among a few scattering maples, and about seventy feet southwest of a dwelling, and 174.75 feet west of monument No. 277. It is on line between property of Yocum and John Riley. This monument was found to be in good condition in every respect.

MONUMENT NO. 279 — SECTION STONE.

Is a small monument with diagonal grooves, standing 1,283.7 feet west of monument No. 278, and marking the southeast corner of the Elice tract. It is on line between property of Laranch Yocum and John Riley. This monument was found to be in good condition in every respect.

MONUMENT NO. 280 — MILESTONE 120.

Is a small monument standing upon a short easterly slope near the foot, about 250 feet west of a small rivulet which crosses the line into New York, and on the north side of an open grove of beech and maple. It is on the property of William Warren. This monument has its southeast corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 281 — MILESTONE 121 AND TOWN STONE.

Is a small monument with diagonal grooves, standing on level cleared land on the summit, west of Rose Brook valley, about 1,500 feet west of the brook. It marks the corner of the towns of Harrison and Bingham in Potter county, Penn. It is on line between property of B. W. Lawrence and O. D. Hubbard. This monument has heaved four inches and has one of its corners slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 282 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a highway leading from White's Corners to Wellsville, on line between property of T. M. Lawrence and R. B. Cutler. This monument was found to be in good condition.

MONUMENT NO. 283 — MILESTONE 122.

Is a small monument standing in cleared land on very slight westerly slope, north side of line fence. It is on the property of T. M. Lawrence. This monument was found to be in good condition in every respect.

MONUMENT NO. 284 — COUNTY STONE.

Is a small monument with diagonal grooves, standing upon level ground a short distance west of a low bluff sloping east, and 699.6 feet west of monument No. 283. It marks the corner of the towns of Steuben and Allegany counties, New York. It is on the property of P. W. Richards. This monument has its southeast side chipped, otherwise it was found to be in good condition.

MONUMENT NO. 285 — HIGHWAY STONE 1.

Is a highway monument on west side of a highway leading from Spring Mills into Pennsylvania. It is on the property of William Cobb. This monument has its four corners chipped, otherwise it is in good condition.

MONUMENT NO. 286 — MILESTONE 123.

Is a small monument standing on a gentle westerly slope in cleared land 473 feet west of monument No. 285. It is on the property of Wm. Cobb. This monument was found to be in good condition in every respect.

MONUMENT NO. 287 — MILESTONE 124.

Is a small monument standing in a gap in a stone wall on southeast corner of a narrow clearing upon a high summit southwest from the village of Spring Mills. It is on the property of L. B. Howe. This monument has its northwest corner slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 288 — MILESTONE 125.

Is a small monument standing in a clump of small beeches and cherries on slight southwesterly slope, on south edge of thick woods, about 1,000 feet northeast of Briggs' residence, and 1,500 feet east of Ainsworth creek. It is on the property of the Briggs estate. This monument has its four corners chipped, otherwise it was found in good condition.

MONUMENT NO. 289 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of Ainsworth creek road leading from Spring Mills south into Pennsylvania. It is on the property of Anson Richmond. This monument has heaved seven inches, otherwise it was found to be in good condition.

MONUMENT NO. 290 — HIGHWAY STONE 2.

Is a highway monument standing on south side of boundary line road about 500 feet east of milestone 126. It is on the property of

Anson Richmond. This monument was found to be in good condition in every respect.

MONUMENT NO. 291 — MILESTONE 126.

Is a highway monument standing on south side of road running on the line in New York State, about fifteen feet north of the northwest corner of Theodore Potter's barn. It is on the property of Theodore Potter. This monument was found to be in good condition in every respect.

MONUMENT NO. 292 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of boundary line road, and where the road turns to south. It is on the property of Theodore Potter. This monument was found to be in good condition.

MONUMENT NO. 293 — MILESTONE 127 AND TOWN STONE.

Is a small monument with diagonal grooves, standing upon a steep northwesterly slope five feet west from a line drawn from Warren Kenyon's barn through Harvey Richmond's white house. On the New York side the woods have lately been cut off and on the Pennsylvania side ten or fifteen years' growth. It is in thick briars. It marks the corners of the towns of Bingham and Genesee, Potter county, Pennsylvania. It is on the property of Ida Paine in New York, and no owners in Pennsylvania. This monument was found to be in good condition in every respect.

MONUMENT NO. 294 — HIGHWAY STONE 1.

Is a highway monument standing on east side of Cryden creek road. It is on the property of G. W. Pierce. This monument has its south and north sides badly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 295 — MILESTONE 128.

Is a small monument standing on slight southerly slope about thirty feet north of fence, seventy-five feet west of where the fence turns to the south, 525.7 feet west of monument No. 294,

and about 300 feet west of a small brook. It is on the property of G. W. Pierce. This monument has its northwest corner slightly chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 296 — RAILROAD STONE 1.

Is a highway monument standing on the northeast side of the Pine Creek, Wellsville and Coudersport railroad, 1,150 feet west of monument No. 295, and about fifty feet east from the right hand bank of the Genesee river. This monument was set in perfect condition October 24, 1893.

MONUMENT NO. 297 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Genesee Forks northerly along the west branch of the Genesee river. It is on line between property of Cobb estate and G. W. Pierce. This monument was found to be in good condition in every respect.

MONUMENT NO. 298 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of a highway leading from Genesee Forks to Shongo. It is on line between the property of Cobb estate and G. W. Paine. This monument was found to be in good condition in every respect.

MONUMENT NO. 299 — MILESTONE 129.

Is a small monument standing upon a steep northwesterly slope covered with briars, fallen logs, tree tops and burnt timber, about sixty feet above the ground and 1,180.3 feet west of monument 298. It is on the property of D. W. Kane. This monument was found to be in good condition in every respect.

MONUMENT NO. 300 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from O'Donnell's Mills to the Irish settlement. It is on line between property of F. R. McHale and Patrick O'Hagen. This monument has heaved four inches, otherwise it was found to be in good condition.

MONUMENT NO. 301 — MILESTONE 130.

Is a small monument standing upon a short northerly slope in cleared land, about 150 feet southeast of a brook and twenty-seven and one-half feet west of Bryan McGinnis' southwest corner. It is on line between property of Bryan McGinnis and J. D. McHale. This monument was found to be in good condition in every respect.

MONUMENT NO. 302 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a highway leading to the Irish settlement, 690 feet west of monument No. 301. It is on line between property of Bryan McGinnis and J. D. McHale. This monument was found to be in good condition in every respect.

MONUMENT NO. 303 — MILESTONE 131.

Is a small monument standing in cultivated land upon a slight southerly slope about 2,000 feet north of highway. It is on line between property of McCabe and O'Donnell. This monument has its northwest corner slightly chipped, otherwise it was in good condition.

MONUMENT NO. 304 — HIGHWAY STONE 1.

Is a highway monument standing on west side of an abandoned wood road leading to the Irish settlement. It is on line between property of James O'Hara and Patrick Hart. This monument has its four corners slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 305 — HIGHWAY STONE 2.

Is a highway monument standing on southeast side of Ore Bed creek road, about four feet above level of road. It is on line between property of James O'Hara and Patrick Hart. This monument has its southwest corner chipped, otherwise it was found in good condition.

MONUMENT NO. 306 — MILESTONE 132.

Is a small monument standing in a small depression in thick woods, about forty feet south of wood road sixty feet southeast of broken elm; thirty-five feet in height, and about 100 feet east of clearing in Pennsylvania. It is on line between property of James O'Hara and Patrick Hart. This monument was found to be in good condition in every respect.

MONUMENT NO. 307 — HIGHWAY STONE AND TOWN STONE.

Is a highway monument standing on the west side of a highway leading from the Irish settlement on the second summit west of monument 306. This monument marks the corner of the towns of Alma and Willing in Allegany county, New York. This monument was found to be in good condition in every respect.

MONUMENT NO. 308 — TOWN STONE.

Is a small monument with diagonal grooves standing on a westerly slope, about 1,200 feet west of monument No. 307, about 430 feet east of milestone 133. This monument has heaved two inches, and marks the corners of the towns of Genesee and Oswago, Potter county, Pa.; otherwise it was found to be in good condition.

MONUMENT NO. 309 — MILESTONE 133.

Is a small monument standing in cultivated land on a steep westerly slope, 426.6 feet east of monument 310. This monument has its top almost flush with the surface of ground; otherwise it was found to be in good condition.

MONUMENT NO. 310 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a road in bottom of valley. This monument has heaved two inches; otherwise it was found to be in good condition.

MONUMENT NO. 311 — HIGHWAY STONE 2.

Is a highway monument standing on west side of highway leading from Wellsville to Coudersport. It is on line between property of Thomas Hart and Peter Nolan. This monument has its northeast and northwest corners slightly chipped; otherwise it was found in good condition.

MONUMENT NO. 312 — MILESTONE 134.

Is a small monument standing upon level top of a knoll between two shallow ravines of Red Water creek on level cultivated ground, about thirty feet east of a small rivulet and 350 feet west of monument 311. It is on line between property of Patrick Marley and Peter Nolan. This monument was found to be in good condition in every respect.

MONUMENT NO. 313 — MILESTONE 135.

Is a small monument standing in thick open woods on a gentle northwesterly slope at the fork of two wood roads, one bearing northwesterly, the other southwesterly. The timber surrounding the milestone is of hard wood. This monument is on line between property of John Tomany and Mary O'Brien. This monument was found to be in good condition in every respect.

MONUMENT NO. 314 — MILESTONE 136.

Is a small monument standing on a steep westerly slope, slightly northerly, in thick woods, 950 feet east of a brook in a deep ravine, south fifty degrees west from an eighteen-inch hemlock and north fifteen degrees east twenty-five feet from a six-inch beech. It is on line between property of Empire Gas Company and James and John O'Donnell. This monument was found to be in good condition in every respect.

MONUMENT NO. 315 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a highway leading from Alma to Irish settlement, about seventy-five feet northerly from southeast corner of the residence of M. H. Dutton.

It is on the property of M. H. Dutton. This monument has its southeast and northwest corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 316 — MILESTONE 136 5-8.

Is a small monument standing at west edge of the original sixth latitude stone, in thick woods on a steep northeasterly slope about 480 feet west of the south branch of Crandall creek. It is on line between property of Weston Brothers and C. M. Weybull. This monument was erroneously marked by the stone-cutter 136 1-8 mile, otherwise it was found in good condition in every respect.

MONUMENT NO. 317 — MILESTONE 137.

Is a small monument standing in thick open woods on a northeasterly slope about fifty feet from the foot of a steep pitch, 600 feet east of the summit of the ridge and about 2,000 feet west of monument 316. It is on line between property of Weston Brothers and Wallace Jones. This monument was found to be in good condition.

MONUMENT NO. 318 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a highway leading southerly from along post-office about 300 feet north of oil derrick, and fifteen feet west of wagon track. It is on line between property of James Shields and John Shields. This monument was found to be in good condition in every respect.

MONUMENT NO. 319 — MILESTONE 138.

Is a small monument standing on a steep westerly slope, thickly covered with wind-falls and briars, about 250 feet west of the summit of the ridge, seventy-five feet east of an abandoned road, and 1,173 feet west of monument 318, in the vicinity of three or four dead hemlocks and just to the north of four or five live hemlocks. It is on line between property of James Shields and John Shields. This monument was found to be in good condition in every respect.

MONUMENT NO. 320 — TOWN STONE.

Is a small monument marked on top "T," standing at the south side of monument which was set in 1798 to mark the southeast corner of the Holland Land Purchase Company. The north edge of the new monument indicates the line. It stands upon a steep northeasterly slope about two-thirds up the hill, 600 feet west of a deep ravine, and it marks the corner of the towns of Bolivar and Alma, in Allegany county, New York. It is on line between property of J. J. Elliott and the Mushrow estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 321 — MILESTONE 139.

Is a small monument standing on steep northerly slope, about 500 feet south of where the slope begins to descend very rapidly, about 150 feet north of the summit and directly south of the residence of S. E. Stratton. It stands on the highway leading from Alma post-office to South Bolivar, 1,148.6 feet west of monument 320. It is on line between property of George Ball and S. E. Stratton. This monument was found to be in good condition in every respect.

MONUMENT NO. 322 — TOWN STONE.

Is a small monument with diagonal grooves, and marks the corner of the towns of Oswago and Sharon. It is on steep northerly slope, about 1,800 feet west of monument 323, south edge of cleared land, about thirty feet north of road following the line and seventy-five feet west of shaggy beech. It is on property of William Mushrow and James Dotly in Pennsylvania, and J. C. Gladsly in New York. This monument was found to be in good condition in every respect.

MONUMENT NO. 323 — HIGHWAY STONE 1.

Is a highway monument standing on south side of abandoned wood road. It is on property of Wm. M. Hyatt and P. W. and Ezekiel Griffith. This monument was found to be in good condition in every respect.

MONUMENT NO. 324 — MILESTONE 140.

Is a small monument standing at foot of a steep northerly slope, about ten feet above elevation of level of the swamp in thick woods, beech and hemlock small trees, in New York, within thirty feet of the line and about 800 feet west of monument 323. It is on property of Gilbert Chaple and W. T. Lewis. This monument was found to be in good condition in every respect.

MONUMENT NO. 325.

Is a small monument standing on southeast edge of the Honeoye flats, at northwest side of a flood water channel of the creek, about fifty feet south of fence on property of Ezekiel Griffith. This monument was found to be in good condition in every respect.

MONUMENT NO. 326 — MILESTONE 141.

Is a small monument standing in cleared land two feet north of line fence, and 1,150 feet east of monument 320, and about 200 feet west of land. It is on line between property of George Yeakel and Croger's estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 327 — HIGHWAY STONE.

Is a highway monument standing on southeast side of State line road leading from South Bolivar to Shingle house. It is on property of Nathan Hayward and A. F. Smith. This monument has its southwest corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 328 — MILESTONE 142.

Is a highway monument standing on west side of road leading from Goldsmith's corner. It is on line between property of H. Berdic and Mrs. Blakely. This monument has its southwest corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 329 — HIGHWAY STONE 1.

Is a highway monument standing on east side of road which is little used, under board fence, which is about fifteen feet north

of brook. It is on property of Mrs. Blakely. This monument was found to be in good condition in every respect.

MONUMENT NO. 330 — MILESTONE 143.

Is a small monument standing in thick underbrush on very steep southerly slope, 150 feet south of top of slope, and about 300 feet east of Summit. East Sharon school-house bears about fifty degrees east from the stone. It is on property of Augustus Wheeler. This monument was found to be in good condition in every respect.

MONUMENT NO. 331 — HIGHWAY STONE 1.

Is a highway monument standing on east side of road, leading from East Sharon to Bolivar, on property of Charles Burback. This monument has its southwest corner chipped; otherwise it was found to be in good condition.

MONUMENT NO. 332 — MILESTONE 144.

Is a small monument standing on north side of short part of woods following the boundary line about 370 feet west of where the run crosses the line. It is on property of M. A. Nichols. This monument was found to be in good condition in every respect.

MONUMENT NO. 333 — HIGHWAY STONE.

Is a highway monument standing on east side of the main road leading from Bolivar to Shingle house, about seventy-five feet south of Bolivar M. E. church. It is on line between property of M. A. Nichols and George Barnes. This monument has all four corners chipped; otherwise it was found in good condition.

MONUMENT NO. 334 — MILESTONE 145.

Is a small monument standing on westerly slope 270 feet east of monument 335 in stone wall. It is on line between property of A. Sullivan and M. Vanlowe, of Pennsylvania, and George Sherwood, of New York. This monument was found to be in good condition in every respect.

MONUMENT NO. 335 — HIGHWAY STONE 1.

Is a highway monument standing on east side of road leading from Genesee to Shingle house about 100 feet southeast of George Sherwood's house. It is on line between property of George Sherwood and M. Vanlowe. This monument was found to be in good condition in every respect.

MONUMENT NO. 336 — COUNTY STONE.

Is a small monument with diagonal grooves, and marks the corner of Potter and McKean counties, Pa., on steep westerly slope in thick woods, twenty-five feet north of brow of hill, fifteen feet north of large stump, and forty feet east of several one foot hemlocks. It is on property of George Sherwood. This monument was found to be in good condition in every respect.

MONUMENT NO. 337 — MILESTONE 146.

Is a small monument in thick woods, on steep westerly slope, 575 feet east of a brook in a deep ravine. It is on line between property of George Case and John Sherwood. This monument was found to be in good condition in every respect.

MONUMENT NO. 338 — MILESTONE 147.

Is a small monument standing about 100 feet west of a small brook running southerly and ten feet south of huge pine stump, and about 100 feet south of wood road, which nearly parallels the line. It is on line between property of L. J. Carrier and C. G. Chandler. This monument was found to be in good condition in every respect.

MONUMENT NO. 339 — HIGHWAY STONE 1.

Is a highway monument standing on west side of road leading from Myrtle to Little Genesee. It is on line between property of George Case and C. G. Chandler. This monument was found to be in good condition in every respect.

MONUMENT NO. 340 — MILESTONE 148.

Is a small monument standing in cultivated land sixty feet south of old B., E. and C. R. R., defunct, and 150 feet southeast of large clump of woods, sixty feet south of fence running east and west on property of B., E. and C. R. R. Co. This monument has all corners slightly chipped, otherwise it was in good condition.

MONUMENT NO. 341 — RAILROAD STONE 1.

Is a small monument standing about 20 feet north of B., E. and C. R. R., about five feet south of lumber pile, and 800 feet east of monument 342. It is on property of B., E. and C. R. R. Co. This monument has its four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 342 — HIGHWAY STONE 1.

Is a highway monument standing on west side of road leading south from Main street, Ceres, about 100 feet southeast of the New York Central and Western railroad station in village of Ceres. This monument is on property of B., E. and C. R. R. Co., and was found to be in good condition in every respect.

MONUMENT NO. 343 — HIGHWAY STONE 2.

Is a highway monument standing on south side of Main street, Ceres, at a point where Main street bends into New York easterly, and southeast corner of a cemetery in Pennsylvania. It is on property of Charles Bell. This monument was found to be in good condition in every respect.

MONUMENT NO. 344 — MILESTONE 149.

Is a highway monument standing on south side of Main street, Ceres, immediately south of Empire school building in Genesee, New York, and 100 feet west of cemetery. It is on property of Charles Bell. This monument was found to be in good condition in every respect.

MONUMENT NO. 345 — HIGHWAY STONE 1.

Is a highway monument standing on south side of Main street, Ceres, where it turns north and westerly into New York. It is on

property of Charles Bell. This monument was found to be in good condition in every respect.

MONUMENT NO. 346 — RAILROAD STONE 1.

Is a small monument standing on south side of New York Central and Western railroad track, midway between the tracks of the two railroads. It is on property of B., E. & C. R. R. Co. This monument was found to be in good condition in every respect.

MONUMENT NO. 347 — MILESTONE 150.

Is a small monument standing in a low swamp ground about 540 feet due south of V. P. Carter's barn, north edge of large timber; small growth of saplings to the north, 275 feet east of Daniel Crandall's land. It is on the property of V. P. Canter and William King. This monument has heaved two inches, otherwise it was found to be in good condition.

MONUMENT NO. 348 — RIVER STONE 1.

Is a small monument standing on cultivated land thirty feet from the left-hand bank of river five feet south of barbed wire fence. It is on line between property of Myron Walters and Mrs. Koons. This monument was found to be in good condition in every respect.

MONUMENT NO. 349 — COUNTY STONE 1.

Is a small monument with diagonal grooves, and marks the corners of Allegany and Cattaraugus counties in New York, in cleared land five feet south of line fence. It is on line between property of Mrs. Maxsen and Miner Walton. This monument has heaved three inches, otherwise it was found in good condition.

MONUMENT NO. 350 — MILESTONE 151.

Is a small monument standing on south bank of the Osawayo where it leaves Pennsylvania, about 1,000 feet west of monument 349. It is on line between property of Mrs. Maxsen and William Hornblower. This monument has its northeast corner chipped, otherwise it was found in good condition.

MONUMENT NO. 351 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a highway leading from Portville to Ceres. It is on line between property of Barber and Remington. This monument has its southeast, southwest and northwest corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 352 — MILESTONE 152.

Is a small monument standing in scattered open woods upon a steep northerly slope at the easterly side of a cove, and about 850 feet east of the summit of a high ridge between the valleys of the Osawayo and the Allegany. It is on line between property of Mrs. H. Kahoe and E. Shiver. This monument has heaved five inches, otherwise it was found in good condition.

MONUMENT NO. 353 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a highway leading from Portville to Bullis Mills. It is on line between property of Mrs. H. Kahoe and John Archibald. This monument was found to be in good condition in every respect.

MONUMENT NO. 354 — RAILROAD STONE 1.

Is a small monument situated in cleared land about 150 feet west of monument 353, and about four feet east of where the track of the defunct B., E. C. & C. R. R. originally stood. This monument has heaved six inches and has all its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 355 — RAILROAD STONE 2.

Is a small monument standing about 400 feet west of monument 354, on a field of the Western New York and Pennsylvania railroad. This monument has its southeast and southwest corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 356 — HIGHWAY STONE 2.

Is a highway monument standing on east side of a highway leading from Bullis Mills to Mill Grove. It is on line between

property of Stetson and Smith. This monument was found to be in good condition in every respect.

MONUMENT NO. 357 — MILESTONE 153.

Is a small monument, standing in a narrow dyke between the Allegany river and slough flood water channel, thirty-six feet west of a dead hemlock, standing on edge of the left bank of river. It is on line between property of Stetson and Smith. This monument has its northeast corner chipped, otherwise it was found in good condition.

MONUMENT NO. 358 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a highway leading from Portville to Eldred. It is on line between property of E. P. Vaugh and the Lennon estate. This monument has its northeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 359 — MILESTONE 154.

Is a small monument standing in thick woods under a large fallen hemlock, which is marked with three blazes, about fifty feet west of the east branch of wood road, twenty-eight feet east of brook in ravine, and about seventy-five feet north of where it is joined by a brook from the northeast. It is on line between property of Mrs. Burnham and Hostetter estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 360 — TOWN STONE 1.

Is a small monument with diagonal grooves, and stands upon a gentle easterly slope on north edge of partially cleared land alongside of a mass of fallen logs about 300 feet west of Loop's creek and 1,196.6 feet east of monument No. 361. This monument marks the corner of the towns of Portville and Olean, in Cattaraugus county, New York. It is on line between property of Dusenberry and Wheeler. This monument has heaved five inches, otherwise it was in good condition.

MONUMENT NO. 361 — MILESTONE 155.

Is a small monument standing in thick open woods on a steep easterly slope about 600 feet east of the summit of the ridge west of Loop's Creek Valley. The trees in the vicinity of the monument are chiefly large beech. It is on line between property of Dusenberry and Wheeler. This monument was found to be in good condition in every respect.

MONUMENT NO. 362 — MILESTONE 156.

Is a small monument standing in young growth of trees on steep westerly slope in a wet spot about 700 feet east of Meek's creek and 845 feet east of monument 363. It is on line between property of Wheeler and South Pennsylvania Oil Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 363 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a highway leading from Benton's Mills to Haymaker. It is on line between property of Wheeler and South Pennsylvania Oil Company. This monument has all its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 364 — MILESTONE 157.

Is a small monument standing on a narrow terrace in thick open woods, about 175 feet northeast of the first oil derrick on the north side of the road nearest the summit, and about 225 feet east of the summit of the high ridge between Meeks and Indian creek, on general slope, quite steep, northeasterly on property South Pennsylvania Oil Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 365 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a high way, along the east side of the east branch of Indian creek, on line between property of A. W. Dodd and W. Mushrow. This monument has its south side chipped, otherwise it was found to be in good condition.

MONUMENT NO. 366 — MILESTONE 158.

Is a small monument standing in open woods on a low bluff. Steep southeasterly slope to a brook in ravine flowing east-northeast, about sixty feet distant, about 1,200 feet west of the north branch of Indian creek, and 1,593 feet west of monument 365. It is on line between property of A. W. Dodds and A. A. Mushrow: This monument was found to be in good condition in every respect.

MONUMENT NO. 367 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a road leading north from the hamlet of Wigwam. It is on property of Miles Loop. This monument has its southeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 368 — TOWN CORNER.

Is a small monument with diagonal grooves, standing near top of a bluff on a steep easterly slope south of thick woods, 222 feet west of monument No. 367. It marks the corner of the towns of Otto and Eldred. It is on line between property of H. Bulot and F. Newman. This monument was found to be in good condition in every respect.

MONUMENT NO. 369 — MILESTONE 159.

Is a small monument standing in thick open woods, on a gentle southerly slope in a clump of ten-inch pines, and about 700 feet north of road, and 1,752.2 feet east of monument 370. It is on line between property of D. E. Quinlan and Lewis Loop's estate. This monument has heaved four inches; otherwise it was found to be in good condition in every respect.

MONUMENT NO. 370 — HIGHWAY STONE 1.

Is a highway monument, standing on southwesterly side of highway leading from Wigwam to Knapp's Creek Station, on line between property of D. E. Quinlan and Lewis Loop's estate. This monument has its four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 371 — MILESTONE 160.

Is a small monument standing in thick woods, upon a steep northeasterly slope about 300 feet directly south of derrick No. 9 of the Bradford Oil Company, 700 feet east of an immense rock, near summit of the ridge 1,330 feet east of monument 372. It is on property of South Pennsylvania Oil Company. This monument has its southwest corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 372 — HIGHWAY STONE 1.

Is a highway monument standing on northeasterly side of a highway leading from Knapps Creek Station to Dukes Center, on the summit of the ridge southwest of Indian creek. It is on property of South Pennsylvania Oil Company. This monument has all corners chipped and has heaved five inches, otherwise it was found in good condition.

MONUMENT NO. 373 — HIGHWAY STONE 2.

Is a highway monument standing on east side of a road leading from Knapps Creek Station to Moretown. It is on property of Angel Oil Company and the Barse tract. This monument has its four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 374 — MILESTONE 161.

Is a small monument standing upon a steep westerly slope cleared for oil purposes and partially buried over, surrounded by bushes, stumps and logs, ninety-three and eighty-five hundredths feet west of monument No. 393, and about 275 feet east of the middle branch of Knapps creek. It is on property of Angel Oil Company and Barse estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 375 — HIGHWAY STONE AND RAILROAD STONE.

Is a highway monument standing on west side of highway leading from Dukes Center to State Line Station, and on the east side of the track of the Western New York and Pennsylvania

railroad (narrow gauge), and about 100 feet south from railroad depot. This monument has its northeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 376 — HIGHWAY STONE 2.

Is a highway monument standing on east side of main road leading from Bradford to Olean, and 200 feet south of where road from State Line station intersects main road. It is on line between the property of Mrs. M. Smiley and William Meachin. This monument was found to be in good condition in every respect.

MONUMENT NO. 377 — MILESTONE 162.

Is a small monument standing in woods and bushes on a gentle southerly slope about 125 feet northeast from Derrick No. 5 of the South Pennsylvania Oil Company, and 490 feet west of Pembroke run. It is on line between the property of Mrs. N. E. Smiley and South Pennsylvania Oil Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 378 — TOWN STONE.

Is a small monument with diagonal grooves, standing in thick young woods on a steep southeasterly slope about 400 feet southeasterly from derrick No. 7, on the hill of the Angel Oil Company, and 2,354 feet west of monument 377. It marks the corner of the towns of Otto and Bradford in McKean county, Pennsylvania. It is on line between the property of Angel Oil Company and E. T. Johnson. This monument was found to be in good condition in every respect.

MONUMENT NO. 379 — MILESTONE 163.

Is a small monument standing in thick young woods on level ground southeast side of the summit of a ridge, north of the head of Chipmunk run, about 150 feet east of derrick No. 3 of J. T. Jones, and about 300 feet southwest of the residence of M. P. Weaver. It is on line between the property of J. T. Jones and E. T. Johnson. This monument was found to be in good condition in every respect.

MONUMENT NO. 380 — MILESTONE 164.

Is a small monument situated in open space in woods about 135 feet north of derrick No. 90 of W. O. Co., which is on south side and very close to Harrisburg run, in the middle of a large cove looking directly north about one mile to the summit of a cove. It is on line between the property of Thomas Curwin and Franchott Brothers. This monument was found to be in good condition in every respect.

MONUMENT NO. 381 — MILESTONE 165.

Is a small monument standing in thick open wood, on a small terrace, steep westerly slope, 888 feet west of the southeast corner of Carrollton, Cattaraugus county, New York, which is on the west side of the summit of high ridge on State Line run. It is on property of Enterprise Transit Oil Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 382 — MILESTONE 166.

Is a highway monument standing in a narrow opening out for a skidway in thick woods, 166 feet east of a small brook near the northeast side of State Line run road, which is now abandoned, on property of Enterprise Transit Oil Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 383 — HIGHWAY STONE 1.

Is a highway monument standing on north side of deserted State Line run road, twelve feet south of line fence about 700 feet east of monument 384. It is on line between the property of Beardsley and Booth. This monument has all corners badly chipped, otherwise it was found in good condition.

MONUMENT NO. 384 — HIGHWAY STONE 2.

Is a highway monument standing on west side of road, in valley of Tuna creek, leading from Limestone into Bradford. It is on line between the property of Beardsley and Booth. This monument has its southeast and southwest corners chipped, and has heaved four inches, otherwise it was found in good condition.

MONUMENT NO. 385 — RAILROAD STONE 1.

Is a small monument standing on east side of track of Buffalo, Rochester and Pittsburg railroad. This monument has its four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 386 — RAILROAD STONE 2.

Is a small monument standing on east side of track of the Bradford branch of the New York, Lake Erie and Western railroad. This monument has its four corners chipped, and has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 387 — MILESTONE 167.

Is a small monument standing upon Tuna flats, on the southeast side of a narrow slough about 200 feet east of Tuna Unguant creek, and 139 feet west of monument No. 386. This monument was found to be in good condition in every respect.

MONUMENT NO. 388 — MILESTONE 167.1.

Is a small monument standing upon Tuna flats, at the east edge of the seventh latitude stone, on north side of line fence, and about 250 feet west of Tuna Unguant creek. This monument was found to be in good condition in every respect.

MONUMENT NO. 389 — HIGHWAY STONE 1.

Is a highway monument standing on west side of road on the west side of valley of Tuna creek. It is on line between property of William Beasley and Phoebe Carpenter. This monument was found to be in good condition in every respect.

MONUMENT NO. 390 — MILESTONE 168.

Is a small monument standing upon a little knoll, in thick young woods, on steep northeasterly slope, west side, at the head of a cove in the mountain, about 200 feet west of a brook, and about 525 feet east of the narrow summit of the high ridge on west side

of Tuna valley. It is on line between property of William Beadsley and Freedley. This monument was found to be in good condition in every respect.

MONUMENT NO. 391 — MILESTONE 169.

Is a small monument standing in thick, open woods, upon a gentle westerly slope, on northeast side of a valley opening out upon Bolivar brook, about 865 feet west of the west side of the summit of the main ridge, on line between properties of Bingham estate and the Bradford Land Company. This monument has heaved two inches, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 392 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of an abandoned wood road, which follows the valley of Bolivar brook, and on line between properties of Bingham estate and the Bradford Land Company. This monument has its northwest corner chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 393 — MILESTONE 170.

Is a small monument standing in partially cleared space in thick woods upon a very steep easterly slope, about 600 feet west of Bolivar brook, and 613.2 feet west of monument 392. It is on line between the property of the Limestone Tannery Company and the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 394 — HOLLAND LAND COMPANY'S PURCHASE.

Is a small monument with diagonal grooves, and marks the corner of sections 54 and 66 of township 1, range 6 of Holland Land Company's purchase, standing in thick, open woods on a gentle easterly slope, 485 feet west of monument 393. It is on line between the property of the Limestone Tannery Company and the Bradford Land Company. This monument was found in good condition in every respect.

MONUMENT NO. 395 — HOLLAND LAND COMPANY'S PURCHASE.

Is a small monument with diagonal grooves, set at the south end of the western transit meridian of the Holland Land Company's purchase; it is standing in thick, open woods, on nearly level ground, five feet west of large windfall. It is on line between the properties of the Limestone Tannery Company and the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 396 — MILESTONE 171.

Is a small monument standing in thick, open woods (beech and maple), on level ground, 584 feet west of monument 395. It is on the property of the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 397 — MILESTONE 172.

Is a small monument standing on gentle southeasterly slope, on east side of wood road about fifty feet northwest of brow of steeper slope, southeast to Bennett brook, about 800 feet southwest of Dougherty's house. It is on the property of Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 398 — HIGHWAY STONE 1.

Is a highway monument standing on east side of old Bradford trial, now abandoned, 800 feet west of monument 397. It is on the property of Bradford Land Company. This monument has its southeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 399 — HOLLAND LAND COMPANY PURCHASE.

Is a small monument with diagonal grooves, and marks the southwest corner of the Willink strip. It stands in thick woods surrounded by briars, fallen logs and upturned roots, sixty feet

south of old Bradford trail and 1,539 feet west of monument 397. It is on line between the property of E. R. Schoonmaker and Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 400 — MILESTONE 173.

Is a small monument standing in thick hemlock woods on level ground southwest of a gentle slope, and northwest to Red House creek, and about 2,000 feet south of an abandoned lumber camp on Red House creek, known as Cass Duell's old shanties. It is on the property of the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 401 — HOLLAND LAND COMPANY PURCHASE THREE-MILE POST.

Is a small monument with diagonal grooves, standing upon steep northerly slope surrounded by rocks and fallen logs, ten feet west of a small spring brook. The letters "N. Y." and "Pa." were erroneously cut on the wrong side of the stone. It sits upon the south line of township 1, range 7, of the Holland Land Company Purchase. It is on line between the property of the Bradford Land Company and the Stone estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 402 — MILESTONE 174.

Is a small monument standing on a northerly slope buried at the east end of a large windfall, 275 feet west of where the Allegany and Kinzua railroad crosses the line, 1,050 feet west of monument 401. This monument is on property of Bradford Land Company, and has heaved four inches, otherwise it was found to be in good condition.

MONUMENT NO. 403 — MILESTONE 175.

Is a small monument standing on a southerly slope 500 feet northeast of Yager's old saw-mill, and about 300 feet north of Quaker run, and twelve feet south of road which parallels the

line running easterly. It is on the property of the Bradford Land Company. This monument has heaved four inches, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 404 — HIGHWAY STONE 1.

Is a highway monument standing on west side of an abandoned wood road about 500 feet west of Yager's old mill. It is on the property of Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 405 — MILESTONE 176.

Is a small monument standing on a very steep southerly slope in thick woods, 300 feet south of the summit of the ridge and about 1,300 feet west of brow of slope where it intersects the boundary line. It is on the property of the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 406 — MILEPOST 5 1-2.

Is a small monument with diagonal grooves, standing in thick, bushy woods on narrow terrace on steep southwesterly slope about 200 feet from foot of slope, 1,411 feet west of monument No. 405. It is on the property of Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 407 — HIGHWAY STONE 1.

Is a highway monument standing on west side of road on south branch of Quaker run. It is on property of Bradford Land Company. This monument has all corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 408 — MILESTONE 177.

Is a small monument standing in thick open woods on slight easterly slope, 455.6 feet west of monument No. 407, and 125 feet west of a clearing on Pennsylvania side. It is on the property of Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 409 — TOWN STONE.

Is a small monument with diagonal grooves, standing in open woods, steep, short northerly slope, south side of a narrow ravine, ten feet east of a brook running westerly 600 feet west of the summit of the ridge west of 408, 2,753 feet east of 410. It is on property of Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 410 — MILESTONE 178.

Is a small monument standing on north edge of burnt slashing, covered with fallen logs and bushes, about 150 feet south of thick open woods on a steep northeasterly slope 330 feet east of the summin of the ridge, east of valley of Wolf run, 167 feet west of large maple, which stands on brow of very steep northeasterly slope and 1,170 feet west of west branch of Quaker run. It is on the property of the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 411 — MILESTONE 179.

Is a small monument standing in thick open woods on level ground on north bank of shallow ravine about 225 feet east of Wolf run, and 968 feet east of highway monument, on southwest side of Wolf run road. It is on property of Bradford Land Company. This monument has its southeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 412 — HIGHWAY STONE 1.

Is a highway monument standing on southwest side of road leading from Wolf run to Willow creek. It is on property of Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 413 — MILESTONE 180.

Is a small monument standing in thick open woods on steep northwesterly slope, sixty-six feet east of a brook in a deep ravine. It is on the property of the Bradford Land Company. This monument has heaved two inches; otherwise it was found to be in good condition.

MONUMENT NO. 414 — MILESTONE 181.

Is a small monument standing on the south side of a large oak log in thick open woods on a southwesterly slope about 200 feet north from the northwest corner of a clearing which has now grown up to bushes overlooking the valley of a branch of Willow creek, 1,000 feet east of the brow of a steep northwesterly slope. It is on line between the property of the Bradford Land Company and the Bingham estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 415 — MILESTONE 182.

Is a small monument standing in a small opening in thin, bushy woods on a steep southerly slope north of Willow creek valley, 1,742 feet east of a brook in a deep ravine and about 300 feet north of the summit of a ridge. It is on line between the property of the Bradford Land Company and the Bingham estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 416 — COUNTY STONE.

Is a small monument with diagonal grooves, standing in thick young woods on a steep southwesterly slope 297 feet west of monument 415. This monument marks the corner of the counties of Warren and McKean, Pennsylvania. It is on the property of the Bradford Land Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 417 — MILESTONE 183.

Is a small monument standing in thick open woods on gentle southerly slope about forty feet west of line fence, about 800 feet east of the edge of woods and between two branches of Willow creek, one 800 feet east and the other 400 feet west. It is on line between the property of John Wayne and Perry Root. This monument was found to be in good condition in every respect.

MONUMENT NO. 418 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a road leading northerly from Corydon. It is on line between the property of

John Warren and Perry Root. The northwest corner of this monument was found to be chipped; otherwise it was found in good condition in every respect.

MONUMENT NO. 419 — ALLEGANY INDIAN IRON MONUMENT.

Is an iron monument in the middle of the road, leading from Corydon to Wolf run, standing out of ground about six inches, and fifteen feet west of monument 418, and is six and a half inches south of line. It was set by United States commission in 1878, to mark the southeast corner of the Allegany Indian Reservation. It is on line between the property of John Warren and Perry Root. This monument was found to be in good condition in every respect.

MONUMENT NO. 420 — RAILROAD STONE 1.

Is a small monument standing on the east side and fifteen feet distant therefrom of the Western New York and Pennsylvania Railroad Company's track center. This monument has its south side badly chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 421 — MILESTONE 184.

Is a small monument standing in cleared cultivated land under stump fence, about fifty feet east from the west end of stump fence and about 600 feet east of monument No. 422. It is on line between the property of Allegany Indian reservation and Daniel Root. This monument was found to be in good condition in every respect.

MONUMENT NO. 422 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of the river road, leading from Corydon to the Indian reservation. It is on line between the property of the Allegany Indian reservation and Daniel Root. This monument was found to be in good condition in every respect.

MONUMENT NO. 423 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of the west river road on Allegany river. It is on line between the property of the Allegany Indian reservation and J. K. Webb. This monument was found to be in good condition in every respect.

MONUMENT NO. 424 — MILESTONE 185.

Is a small monument standing in a small cleared spot, in thick bushy pasture on a northeasterly slope, south of thick woods 290 feet west of a small brook, in a shallow ravine, and just south of a very steep northerly slope, nearly 500 feet south of State Line run, on line between the property of Allegany Indian reservation and J. K. Webb. This monument was found to be in good condition in every respect.

MONUMENT NO. 425 — ALLEGHANY INDIAN IRON MONUMENT.

Is an iron monument about eighteen inches high, standing upon a gentle easterly slope in a thick growth of briars, south side of a large hemlock stump. It was temporarily placed in 1878 to mark the southwest corner of the Indian reservation. It is on line between the property of the Indian reservation and J. K. Webb. This monument was found to be in good condition in every respect.

MONUMENT NO. 426 — HIGHWAY MONUMENT 1.

Is a small monument standing at the side of monument 425, just south of the brow of steep northerly slope towards State Line run, about 500 feet south of the run. It is on line between the property of the Indian reservation and J. K. Webb. This monument was found to be in good condition in every respect.

MONUMENT NO. 427 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of a highway leading southwesterly from State Line run road. It is on line between the property of Sylvester Birch and Munsen Bliss. This monument has all corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 428 — MILESTONE 186.

Is a highway monument standing on the west side of State line run road thirty-five feet north of creek, and at point where State Line run road runs southerly into Pennsylvania, in cleared land, under fence, which runs north and south. It is on line between property of Sylvester Birch and Munsen Bliss. This monument was found to be in good condition in every respect.

MONUMENT NO. 429 — MILESTONE 187.

Is a small monument standing on very steep southerly slope, in woods grown up to bushes, about 100 feet east of wood road running northwest 850 feet east of monument No. 430, and 500 feet north of State Line run. It is on line between the property of Hiram Scott and Thomas Quamtanto. This monument has heaved three inches; otherwise it was found to be in good condition.

MONUMENT NO. 430 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of wood road, now abandoned, about 300 feet north of State Line run. It is on the property of Hiram Scott. This monument was found to be in good condition in every respect.

MONUMENT NO. 431 — HIGHWAY STONE 2.

It is a highway monument standing in a shallow ravine, 1,014 feet east of No. 432, and marking the corner of sections 34 and 49 of township 1, range 9, of the Holland Land Company's purchase. It is on line between the properties of Voley Vickery and the Quain estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 432 — MILESTONE 188.

It is a highway monument standing in thick woods, on a gentle southeasterly slope, surrounded by fragments of rock, about fifty feet north of an abandoned wood road, and 450 feet east of State Line run, below an old bridge. It is on line between the property of E. D. Marsh and the Quain estate, and has all its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 433 — TOWN STONE.

Is a small monument, with diagonal grooves, standing on a slight easterly slope, on east side of summit of Robbins' hill, in open field, 292.3 feet east of monument 434. It marks the corner of the townships of Elk and Pine Grove, in Warren county, Pa. It is on the property of Andrew Anderson. This monument was found to be in good condition in every respect.

MONUMENT NO. 434 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of Quaker Hill road, leading from South Valley to Ackerly. It is on line between the property of William Robinson and L. Burke. This monument was found to be in good condition in every respect.

MONUMENT NO. 435 — MILESTONE 189.

Is a small monument standing on a westerly slope in cleared land, about five feet northwest of a large burnt stump, and ninety feet west of wood road, and 700 feet west of monument 434, and about 100 feet west of the southeast corner of clearing. It is on the property of Squire L. Burke. This monument was found to be in good condition in every respect.

MONUMENT NO. 436 — COUNTY STONE.

Is a highway monument standing in cleared land on southerly slope about five feet north of rail (county) line fence. It marks the corners of the counties of Cattaraugus and Chautauqua, New York. It is on line between the property of F. Burke and William Robbins. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 437 — HIGHWAY STONE 1.

It is a highway monument standing on the west side of a highway leading from the county line of Cattaraugus and Chatauqua to Ackerly. It is on line between the property of Davis and Bullock. This monument has all corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 438 — MILESTONE 190.

Is a small monument standing on nearly level ground in a small narrow gulley covered with briars and fallen trees, about five feet south of north branch of brook which flows westerly, partially cleared land, up to line, north one degree thirty minutes east, about one-fourth of a mile from the residence of W. F. Atkins. It is on line between property of W. Wilson and W. F. Atkins. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 439 — HIGHWAY STONE 1.

Is a highway monument standing about fifteen feet east of the road leading from Frewsburg to Atley Station, and about thirty feet south of Riverside creamery. It marks the corner of sections 9 and 17 in township 1, range 10, of the Holland Land Company's purchase. It is on line between property of William Colliton, C. Cole, G. G. Anderson and E. E. Herick. This monument was found to be in good condition in every respect.

MONUMENT NO. 440 — MILESTONE 191.

Is a small monument standing in cleared land north of a piece of woods upon a southeasterly slope under line fence, 1,635 feet west of the monument No. 439. It is on line between the property of William Colliton and G. G. Anderson. This monument was found to be in good condition in every respect.

MONUMENT NO. 441 — FOUR-MILE POST, H. L. CO. PURCHASE.

Is a small monument standing upon a steep bluff on the west side of a deep ravine, 100 feet west of brook on south side of line fence, and 1,107 feet west of monument 440. It is on the property of John Lundburg. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 442 — MILESTONE 192.

Is a small monument standing in an open chestnut grove, south side of thick woods, on a westerly slope, southeast side of small ravine, and 395 feet west of the summit of a ridge, west side of a deep ravine. It is on line between the property of A. H. Lake and Harrison Fenton. This monument was found to be in good condition in every respect.

MONUMENT NO. 443 — HIGHWAY STONE 1.

Is a highway monument on the east side of road leading from Pine Grove to Fentonville. It is on line between the property of Richardson and Mrs. Noyce. This monument was found to be in good condition in every respect.

MONUMENT NO. 444 — MILESTONE 193.

It is a small monument standing on a narrow gravel ridge, between two small swamps, on Conewango flats, on north side of line stump fence, and about 150 feet east from west end of fence. It is on the property of Woodruff Allen. This monument was found to be in good condition in every respect.

MONUMENT NO. 445 — RAILROAD STONE 1.

Is a small monument standing on the west side of the Dunkirk, Allegheny Valley and Pittsburg railroad. It was found to be in good condition in every respect.

MONUMENT NO. 445 — RIVER STONE 1.

Is a small monument standing on the left hand bank of the Conewango river, in cleared land, under board fence, and thirty feet east of the bank of the river. It is on the property of Martha Allen. This monument was found to be nearly flush with the surface of the ground, otherwise it was in good condition in every respect.

MONUMENT NO. 447 — RIVER STONE 2, AND HIGHWAY STONE 1.

Is a highway monument standing on the west bank of the Conewango river, on the north side of an abandoned road, and about forty feet west of the river. It is on line between the property of H. Cox and Charles Durand. This monument was found to be in good condition in every respect.

MONUMENT NO. 448 — MILESTONE 194.

Is a highway monument standing on the west side of a road leading from Jamestown, New York, to Warren, Pennsylvania, about 3,575 feet west of Conewango river, and 125 feet southerly from the residence of Henry Cox. It is on line between property of Henry Cox and G. Townsend. This monument was found to be in good condition in every respect. A large sandstone monument set by A. T. Pendergrast, in 1871, stands at the west edge of milestone 194.

MONUMENT NO. 449 — MILESTONE 195 AND TOWN STONE.

Is a small monument with diagonal grooves, standing in cleared field, five feet south of line fence, and about 365 feet east of monument 450. It is on the property of William Townsend. This monument has heaved three inches, and has its south side chipped, otherwise it was found in good condition.

MONUMENT NO. 450 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of a road leading from Kiantone to Russell. It is on the property of William Townsend. This monument was found to be in good condition in every respect.

MONUMENT NO. 451 — MILESTONE 195 1-8.

Is a small monument standing at the east edge of the eighth latitude stone, on the north edge of thick woods, and the west brow of a narrow ravine, just south of rail and bush fence. It is on line between the property of Brewster and William Townsend. This monument was found to be in good condition in every respect.

MONUMENT NO. 452 — MILESTONE 196.

Is a small monument standing on a gentle northerly slope, north side of thick woods, and about fifty feet east of an abandoned woods road, 242 feet east of the southwest corner of a clearing. It is on line between the property of Robert Jackson and J. Standish. This monument has heaved four inches, otherwise it was found to be in good condition.

MONUMENT NO. 453 — MILESTONE 197.

Is a highway monument standing on cleared land on gentle northerly slope thirty feet east of a road. It is on property of T. Gustafson. This monument was found to be in good condition in every respect.

MONUMENT NO. 454 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a road leading from Warren to Jamestown. It is on the property of Martin Beck. This monument has its west edge chipped, otherwise it was found to be in good condition.

MONUMENT NO. 455 — MILESTONE 198.

Is a small monument standing on level ground on the north side of a clearing in the edge of woods about seventy feet west of monument 454, and under rail and brush fence. It is on the property of Jasper Cole. This monument was found to be in good condition in every respect.

MONUMENT NO. 456.

Is a small monument standing in open woods on a westerly slope about 300 feet west of the summit of ridge, and 2,475 feet west of monument 455. It marks the two and one-half mile post of the Holland Land Company's purchase; it is on the south line of township 1, range 11. It is on the property of Jasper Coles. This monument was found to be in good condition in every respect.

MONUMENT NO. 457 — MILESTONE 199.

Is a highway monument standing on the west side of a road leading from Jamestown to Warren. It is on line between the property of H. A. Nelson and L. A. Coleman. This monument has its north side and south side chipped, and otherwise it was found to be in good condition.

MONUMENT NO. 458 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of a road leading from Busti to Warren. It is on line between the property of W. Stanford and W. H. Holcomb. This monument was found to be in good condition in every respect.

MONUMENT NO. 459 — MILESTONE 200.

Is a small monument standing on the south edge of woods on southerly slope north of a ravine at the corner of two Pennsylvania farms, which is also the corner of Pennsylvania. Warrants Nos. 242 and 291; about 100 feet east of the head of a long westerly slope. It is on line between the property of W. H. Holcomb and W. Stanton. This monument was found to be in good condition in every respect.

MONUMENT NO. 460 — TOWN STONE.

Is a small monument with diagonal grooves, standing on level ground in a little cove on a low bluff, which slopes southerly thirteen feet south of foot of slope, and about 2,500 feet west of monument 459; it marks the corner of the townships of Sugar Grove and Farmington, Penn. It is on line between the property of W. H. Holcomb and W. Stanton. This monument was found to be in good condition in every respect.

MONUMENT NO. 461 — MILESTONE 201.

Is a highway monument standing on the west side of a road east of Stillwater creek, leading from Busti to Chandler's Valley. It is on line between the property of Stanford and Simmons. This monument was found with all corners chipped. otherwise in good condition in every respect.

MONUMENT NO. 462 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of stage road leading from Jamestown to Sugar Grove. It is on line between the property of W. Weld and the Ricker estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 463 — MILESTONE 202.

Is a small monument standing in an open field north of a garden in orchard on easterly slope about 240 feet west of monument 462. It is on line between the property of William Weld and Ricker estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 464 — MILESTONE 203.

Is a small monument standing in thick woods on nearly level ground, 205 feet west of the southeast corner of J. Boswell's farm, about 500 feet east of brook in deep ravine, and about 2,083 feet east of monument 465. It is on line between the property of the Boswell estate and S. Barnet. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 465 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Jamestown to Sugar Grove. It is on line between the property of the Boswell estate and S. Barnet. This monument was found to be in good condition in every respect.

MONUMENT NO. 466 — MILESTONE 204.

Is a small monument standing on north edge of thick open woods about fifteen feet east of the southwest corner of a clearing seventy-five feet east of brook flowing northerly in shallow ravine. It is on line between the property of Birklain and Catlin. This monument has all corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 467 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of highway leading from Meadville to Sugar Grove. It is on line between the property of S. M. Seabury and J. Toolfire. This monument was found to be in good condition in every respect.

MONUMENT NO. 468 — MILESTONE 205.

Is a small monument standing on a gentle slope, westerly, in open woods, 360 feet west of a brook flowing southerly in shallow ravine, about 2,404 feet east of monument 469, and at a junction of a board and worm fence. It is on line between the property of Madison and Lopes. This monument has its corners slightly chipped, otherwise it was found in good condition in every respect.

MONUMENT NO. 469 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Ashville to Sugar Grove. It is on line between the property of Madison and Lopes. This monument was found to be in good condition in every respect.

MONUMENT NO. 470 — MILESTONE 206 AND TOWN STONE.

Is a small monument with diagonal grooves, standing in cleared land on northeasterly slope, north of a thin piece of wood, about 200 feet west of the west end of worn line fence. It is on line between the property of William Gates and C. Lopes. This monument has heaved four inches, otherwise it was found to be in good condition. It marks the corners of the townships of Sugar Grove and Freehold in Warren county, Penn.

MONUMENT NO. 471 — HIGHWAY STONE 1.

Is a highway monument standing on the east side of a highway leading from Stillwater to Watts' Flats. It is on line between property of Spooner and Bindley. This monument was found to be in good condition in every respect.

MONUMENT NO. 472 — MILESTONE 207.

Is a small monument standing at the northwest corner of a triangular piece of woods upon nearly level ground, at the junction of two worn fences, 492 feet west of monument 471. It is on line between property of David Spooner and C. S. Woodburn. This monument has heaved six inches, otherwise it was found in good condition.

MONUMENT NO. 473 — MILESTONE 208.

Is a small monument standing on level ground in thick open woods, ten feet west of top of low bluff, on the west bank of a hollow ravine, about forty-five feet west of Deer Lick creek, and 462 feet east of same creek, where it again crosses boundary flowing southwesterly. It is on line between the property of Cross and Allen. This monument was found to be in good condition in every respect.

MONUMENT NO. 474 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a road leading from Wrightsville to Mayville. It is on line between the property of Effie A. Cross and DeWitt Allen. This monument has its corners badly chipped, otherwise it was found in good condition in every respect.

MONUMENT NO. 475 — MILESTONE 209.

Is a small monument standing in level cleared land thirty feet east of the right bank of Little Broken Straw creek, about five feet north of rail fence, and six feet west of north end of board fence. It is on line between the property of Aaron Cornish and H. Crouse. This monument was found to be in good condition in every respect.

MONUMENT NO. 476 — HIGHWAY STONE 1.

Is a highway monument standing on east side of road leading from Panama to Lottsville. It is on line between the property of Aaron Cornish and J. Ness. This monument was found to be in good condition in every respect.

MONUMENT NO. 477 — RAILROAD STONE 1.

Is a small monument standing on an embankment of the New York, Pennsylvania and Ohio railroad, 986 feet east of monument 478. This monument has its top almost flush with surface of ground; otherwise it was found to be in good condition in every respect.

MONUMENT NO. 478 — MILESTONE 210.

Is a small monument standing in an open space in woods on a low knoll, in a swamp, underbrush line fence, and at corner of Pennsylvania, brush fence, about twenty-two feet south of large hemlock stump, about two feet high which shows witness hacks. It is on line between the property of Aaron Cornish and William Robinson. This monument was found to be in good condition in every respect.

MONUMENT NO. 479 — HIGHWAY STONE 1.

Is a highway monument standing on west side of road leading from Lottsville to Panama. It is on line between the property of Chapman and Mrs. Morgan. This monument was found to be in good condition in every respect.

MONUMENT NO. 480 — MILESTONE 211.

Is a small monument standing in cleared land on southwest slope, about 150 feet east of brook in shallow ravine, and at north end of a fence, which indicates the line between Pennsylvania. Warrants Nos. 103 and 392, and about 2,000 feet east of a large boulder with a cross upon its top, standing in cleared field, under and at the end of New York board line fence. The cross on the boulder marks the line between sections 41 and 49, in township 1, range 13, of the Holland Land Company's purchase. It is on line between the property of James Hartson and P. Cooper. This monument has heaved five inches, otherwise it was found to be in good condition.

MONUMENT NO. 481 — HIGHWAY STONE 1.

Is a highway monument standing on east side of a road leading from Bear lake to Panama. It is on line between the property of J. Bordwell and James Hartshorn. This monument was found to be in good condition in every respect.

MONUMENT NO. 482 — HIGHWAY STONE 2.

Is a highway monument standing on east side of a highway leading from Panama to Corry. It is on line between the property of H. Howard and James Hartshorn. This monument has heaved eight inches; otherwise it was found in good condition in every respect.

MONUMENT NO. 483 — MILESTONE 212, AND TOWN STONE.

Is a small monument with diagonal grooves, standing on level ground at north edge of line fence, and at north end of Pennsylvania fence, in woods near the northeast corner of a partial clearing about 750 feet east of a brook, and 1,017 feet west of monument 482. It marks the corner of the towns of Freehold and Columbus in Warren county, Pa. It is on line between the property of H. Howard and James Hartshorn. This monument was found to be in good condition in every respect.

MONUMENT NO. 484 — HIGHWAY STONE 1.

Is a highway monument standing on east side of road, leading from Kings Corners to Bear lake, opposite the residence of Alfred Whipple. It is on the property of Alfred Whipple. This monument has heaved four inches; otherwise it was found to be in good condition.

MONUMENT NO. 485 — MILESTONE 213.

Is a small monument standing in open cultivated land on south side of boundary line road on gentle westerly slope, 738 feet west of monument 484, and about twenty feet east of a six-inch cherry tree. It is on the property of Alfred Whipple. This monument has its top three inches above surface of ground, otherwise it was found to be in good condition.

MONUMENT NO. 486 — HIGHWAY STONE 1.

Is a highway monument standing on south side of boundary line road, at its junction with road leading to Columbus. It is on line between property of Alfred Whipple and B. Chadwick. This monument was found to be in good condition in every respect.

MONUMENT NO. 487 — MILESTONE 214.

Is a highway monument standing in level cleared field, on north side of boundary line road, about eighty feet west of a wet swail and five feet north of a line fence. It is on the property of B. Chadwick. This monument was found to be in good condition in every respect.

MONUMENT NO. 488 — HIGHWAY STONE 1.

Is a highway monument standing at the junction of two roads leading to Columbus, 458.8 feet west of monument 487. It is on the property of B. Chadwick. This monument was found to be in good condition in every respect.

MONUMENT NO. 489 — HIGHWAY STONE 2.

Is a highway monument standing on the southwest side of road leading to Clymer Station, at end of barbed wire fence. It is on line between the property of S. Barber and C. Cooley. This monument has its northeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 490 — MILESTONE 215.

Is a small monument standing in open woods upon rolling land on gentle easterly slope, about thirty feet east of brow of a deep ravine, and about 1,221 feet west of monument 489. It is on line between the property of S. Cooley and Ewers. This monument was found to be in good condition in every respect.

MONUMENT NO. 491 — HIGHWAY STONE 1.

Is a highway monument standing in level wet ground at south edge of thick woods near the northeast corner of a clearing at the southeast end of a road laid out and cut through the woods,

but now abandoned. It marks the corners of sections 17 and 25 in township 1, range 14, of the Holland Land Company's Purchase. It is on line between the property of Cooley and Ewers. This monument was found to have its southwest corner slightly chipped, otherwise in good condition in every respect.

MONUMENT NO. 492 — MILESTONE 216.

Is a small monument standing in open field on a westerly slope on south side of line fence, 747.7 feet east of monument 493. It is on line between the property of Cooley and Walton. This monument was found to be in good condition in every respect.

MONUMENT NO. 493 — HIGHWAY STONE 1.

Is a highway monument standing at east end of boundary line road at its junction with road running from Columbus to Clyer Station. It is on line between the property of S. Cooley and C. Walton. This monument has heaved two inches, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 494 — MILESTONE 217.

Is a highway monument standing on the north side of boundary line road, about 750 feet west of the west side of the summit of the ridge east of Broken Straw creek. It is on line between the property of Brown and Gillett. This monument has its northeast corner chipped, otherwise it was found in good condition in every respect.

MONUMENT NO. 495 — COUNTY STONE.

Is a highway monument standing on the north side of boundary line road upon a westerly slope, forty-eight feet west of a large maple, and 462.6 feet west of monument 494. It marks the corner of the counties of Warren and Erie, Penn. It is on line between the property of Gillett and King. This monument was found to be in good condition in every respect.

MONUMENT NO. 496 — HIGHWAY STONE 1.

Is a highway monument standing at the west end of boundary line road on property of William Brown. This monument was found to be in good condition in every respect.

MONUMENT NO. 497 — RAILROAD STONE 1.

Is a small monument standing on west side of Western New York and Pennsylvania railroad track, about thirty feet west of same. This monument has its top three inches above the surface of the ground, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 498 — HIGHWAY STONE 2.

Is a highway monument standing on east side of a road leading from Columbus to Clymer. It is on property of Michael McFarlin. This monument has its northwest and southwest corners chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 499 — MILESTONE 218.

Is a small monument standing in a maple grove, north of an orchard, on a northeasterly slope 786.6 feet west of monument No. 498. It is on the property of M. McFarlin. This monument was found to be in good condition in every respect.

MONUMENT NO. 500 — HOLLAND LAND COMPANY STONE.

Is a small monument, with diagonal grooves, standing midway upon a very steep northwesterly slope on the southeast side of a deep ravine in a bushy piece of woods. It marks the corner of sections 49 and 57 in township 1, range 14, of the Holland Land Company's purchase. It is on the property of Michael McFarland. This monument was found to be in good condition in every respect.

MONUMENT NO. 501 — HIGHWAY STONE 1.

Is a highway monument standing on north side and at east end of boundary line road. It is on the property of Michael McFarlan. This monument was found to be in good condition in every respect.

MONUMENT NO. 502 — HIGHWAY STONE 2.

Is a highway monument standing on the north side of boundary line road at junction of road running southerly to Corry. In front of residence of George Beebe and W. Lictus. This monument was found to be in good condition in every respect.

MONUMENT NO. 503 — TOWN STONE.

Is a highway monument standing on the north side of boundary line road. It marks the corner of the towns of French Creek and Cylmer, in Chautauqua county, New York. About 200 feet west of a ravine. It is on the property of D. Howells. This monument was found to be in good condition in every respect.

MONUMENT NO. 504 — MILESTONE 219.

Is a highway monument standing on the north edge of wagon track of boundary line road upon level ground, upon second summit, west of Big Broken Straw valley, and about 700 west of monument No. 503. It is on property of D. Howells. This monument was found to be in good condition in every respect.

MONUMENT NO. 505 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of boundary line road, running at junction with road southerly to Corry. It is on line between the property of John Rickers and D. Howell. This monument has heaved eight inches, otherwise it was found in good condition.

MONUMENT NO. 506 — HOLLAND LAND COMPANY PURCHASE STONE, MILEPOST 5 1-2.

Is a highway monument standing on the north side of boundary line road, about 1,000 feet west of monument No. 505. It is on the property of John Rickers. This monument was found to be in good condition in every respect.

MONUMENT NO. 507 — HIGHWAY STONE 2.

Is a highway monument standing on the north side of boundary line road, at junction of road running northerly to Clymer. It is on line between the property of H. Haybink and John Rickers. This monument has its northeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 508 — MILESTONE 220.

Is a highway monument standing on the north side of boundary line road upon the east slope of the second knoll, west of a deep ravine, east of the valley of Hare Creek. It is on the property of H. Haybink. This monument was found to be in good condition in every respect.

MONUMENT NO. 509 — HIGHWAY STONE 1.

Is a highway monument standing at west end of boundary line road. It is on line between the property of B. P. Condon and Barney Raymond. This monument was found to be in good condition in every respect.

MONUMENT NO. 510 — MILESTONE 221.

Is a highway monument standing on the south edge of woods, west of a ravine, on the north side of boundary line road, and at west end above the summit of a steep easterly slope. It is on line between property of Austin and Condon. This monument was found to be in good condition, in every respect.

MONUMENT NO. 511 — HIGHWAY STONE 1.

Is a highway monument, standing on the north side of boundary line road, at junction of road leading southerly to Corry. It is on property of school district No. 3. This monument was found to have heaved four inches, but otherwise to be in good condition in every respect.

MONUMENT NO. 512 — MILESTONE 222.

Is a highway monument, standing on the north side of boundary line road, 760.7 feet west of monument No. 511, on cultivated land on a westerly slope. It is on line between the property of Lloyd and Howard. This monument has heaved six inches, and inclines to the west, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 513 — HIGHWAY STONE 1.

Is a highway monument, standing on the north side of boundary line road, about fifty feet west of where bridge crosses stream, at its junction with road running northwesterly. It is on line between the property of Gensling and Weizer. This monument was found to be in good condition in every respect.

MONUMENT NO. 514 — MILESTONE 223, HIGHWAY STONE.

Is a highway monument standing on the north side of boundary line road, on south edge of thick woods on easterly slope a short distance east of the summit of the ridge between two branches of Herrick creek, 397.8 feet west of monument No. 513. It is on line between the property of Gansling and Weizer. This monument was found to be in good condition in every respect.

MONUMENT NO. 515 — HIGHWAY STONE 1.

Is a highway monument, standing in wagon track of boundary line road, in the meridian of astronomical station "Clark," 69.32 feet north from center of station, and about 984 feet east of monument No. 516. It is on line between the property of L. B. Clark and ——— Reynolds. This monument was found to be in good condition in every respect, except it is set flush with the surface of the ground.

MONUMENT NO. 516 — HIGHWAY STONE (MILESTONE 224).

Is a highway monument, standing on the north side of boundary line road, upon the second summit east of the valley of French creek, and about 150 feet southeast of the residence of Mrs. Clark. It is on line between the property of Mrs. Clark and L. D. Moore. This monument was found to be in good condition in every respect.

MONUMENT NO. 517 — HIGHWAY STONE 1.

Is a highway monument standing on north side of boundary line road, at junction of road running southerly to Carter Hill. It is on line between property of D. Marts and Ottoway estate. This monument has its southeast side chipped, otherwise it was found to be in good condition.

MONUMENT NO. 518 — TOWN STONE.

Is a highway monument, standing on the north side of boundary line road, on a steep westerly slope, 376.3 feet east of the monument at the southwest corner of New York. It marks the corner of the townships of Wayne and Amity, in Erie county, Pa. It is on line between property of Simons & Bisbee. This monument has its top flush with surface of ground; otherwise it was found to be in good condition.

MONUMENT NO 519 — CORNER STONE.

Is a small monument with diagonal grooves, standing in the wagon track of the boundary line road, upon level ground, at the foot of a long westerly slope east of the valley of French creek. About 4,496 feet west of milestone No. 224, and 825 feet east of the probable position of original milestone No. 225. It is twenty feet south of monument No. 1, standing on the north side of boundary line road, and ninety-eight and five-tenths feet south of the south side of the base of the large initial monument standing in the meridian boundary. It is set at the intersection of the parallel and meridian boundary and marks the southwest corner of New York. It is set on line between property of Bennet and Simmons. This monument has all its corners chipped; otherwise it was found to be in good condition.

MERIDIAN BOUNDARY.

The monuments upon this boundary are similar in all respects to those on the parallel boundary. They are marked on the east side "N. Y.," and on the west side, "Pa." None of the fourth and Fifth classes was set. The milestones which are not highway monuments, with one exception, are marked with the appropriate number on the north face.

MONUMENT NO. 1 — HIGHWAY MONUMENT.

Is a highway monument, standing on the north side of road which follows the parallel. It is on line between the property of Simons and Bennett. This monument was found to be in good condition in every respect.

MONUMENT NO. 2 — LARGE REFERENCE MONUMENT.

Is a large block of Rhode Island granite, similar, in all respects, to the large initial monument on the right hand bank of the Delaware river, except that its east and west faces are marked: "100 feet north of the southwest corner of New York." It stands on level ground, in cleared field on the east side of line fence, and in the meridian of the corner monument, which is ninety-eight and five-tenths feet south from the south side of its base. It is on lines between the property of Simons and Bennet. This monument was found to be in good condition in every respect.

MONUMENT NO. 3 — MILESTONE 18.

Is a small monument, standing on the east edge of clearing in level ground, just north of thick open woods, five feet west of line fence, 3,520 feet north of the monument at the southwest corner. It is on line between the property of the Sweet estate, and Charles Black. This monument was found to be in good condition in every respect.

MONUMENT NO. 4 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of a road leading from Wattsburg to Jamestown. It is on line between the property of the Sweet estate and F. M. Foote. This monument was found to be in good condition in every respect.

MONUMENT NO. 5 — MILESTONE 17.

Is a small monument standing on the south edge of thick open woods, 135 feet south of the summit of the ridge, fifty feet north of the top of a steep bluff, north side of the valley of the east branch of French creek, and about 1,300 feet north of creek, on line between the property of F. M. Foote and McGill. This monument was found to be in good condition in every respect.

MONUMENT NO. 6 — HOLLAND LAND COMPANY'S PURCHASE, MILEPOST 2.

Is a small monument standing on the south west side of a short narrow ravine, crossing the line towards the southeast, on a steep northeast slope, in thick open woods, 1,794 feet north of monu-

ment No. 5. It is on line between properties of F. M. Foote and Henry Goethen. This monument was found to be in good condition in every respect.

MONUMENT NO. 7 — MILESTONE 16.

Is a small monument standing on a narrow terrace near the bottom of a northeasterly bank of a narrow ravine, about 600 feet northwest of where the creek branches to the northeast, and nine feet east of large boulder which lies on east bank of brook, which flows southeasterly on line between the property of J. Gilmore and J. Hadley. This monument was found to be in good condition in every respect.

MONUMENT NO. 8 — HIGHWAY STONE 1.

Is a highway monument standing on the south side of road leading from Wattsburg to Clymer. It is on line between the properties of J. Gilmore and J. Hadley. This monument was found to have all of its corners badly chipped.

MONUMENT NO. 9 — HOLLAND LAND COMPANY'S PURCHASE, MILEPOST 3 1-2.

Is a small monument standing on the east edge of a meadow a short distance south of a deep ravine, and 245.5 feet north of monument No. 8. It is on line between properties of J. Gilmore and J. Hadley. This monument was found to be in good condition in every respect.

MONUMENT NO. 10 — HOLLAND LAND COMPANY'S PURCHASE MILEPOST 3 1-2.

Is a small monument in thick open woods, upon a gentle southwesterly sope, 744.5 feet south of monument No. 11. It is on line between properties of J. Gilmore and J. Hadley, and was found to have its southeast corner badly chipped, and in every respect this monument, otherwise, was found to be in good condition.

MONUMENT NO. 11 — MILESTONE 15.

Is a small monument standing on level ground in the bottom of a deep ravine, in thick open woods, about six feet from the foot of the south bluff, and twenty feet south of the channel of a brook flowing westerly. It is on line between property of . This monument was found to be in good condition in every respect.

MONUMENT NO. 12 — HOLLAND LAND COMPANY'S PURCHASE, MILEPOST 4 1-2.

Is a small monument standing on level ground thickly covered with bushes and fallen trees, 743 feet south of monument No. 13. It is on line between property of Dugan and King. This monument was found to be in good condition in every respect.

MONUMENT NO. 13 — MILESTONE 14.

Is a small monument, standing upon level ground thickly covered with briars, bushes and fallen logs, twenty feet north and twenty feet east from channel of brook which flows northwesterly. It is on line between property of Dugan and King. This monument was found to be in good condition in every respect.

MONUMENT NO. 14 — MILESTONE 13.

Is a small monument standing upon the brink of southeast bank of a narrow ravine, about twenty feet deep, in partially cleared land on north side of post in barbed wire fence. The figures "13 M" were erroneously cut on the south face of the stone. It is on line between property of . This monument was found to be in good condition in every respect.

MONUMENT NO. 15 — HIGHWAY STONE AND TOWN STONE 1.

Is a highway monument standing on north side of road leading into Pennsylvania. It makes the corner of the townships Venango and Greenfield, in Erie county, Penn., and towns of Mina and French Creek in Chautauqua county, New York. It is on the property of . This monument was found to be in good condition in every respect.

MONUMENT NO. 16 — HIGHWAY MONUMENT 2.

Is a highway monument standing on the north side of a highway running southeasterly about fifteen feet east of brook, in shallow ravine. It is on line between property of . This monument was found to be in good condition in every respect.

MONUMENT NO. 17 — MILESTONE 12.

Is a small monument standing in cultivated land on a narrow knoll, north of a shallow ravine, 208.5 feet north of monument No. 16. This monument was found to be in good condition in every respect.

MONUMENT NO. 18 — HIGHWAY STONE 1.

Is a highway monument standing on west side of a short piece of boundary line road just where it turns to the southwest into Pennsylvania. It is on line between the properties of Franklin Haskins and Nehemiah Lathrop, and was found to be in good condition in every respect.

MONUMENT NO. 19 — HIGHWAY STONE 2.

Is a highway monument standing on west side of boundary line road, just where it turns easterly into New York. It is on line between the properties of Nehemiah Lathrop and Franklin Haskins. This monument was found to be in good condition in every respect.

MONUMENT NO. 20 — MILESTONE 11.

Is a small monument standing in level meadow land 781 feet north of monument No. 19, and about 200 feet east of Alvira Lewis' barn on line between the properties of Alvira Lewis and Nehemiah Lathrop. This monument was found to be in good condition in every respect.

MONUMENT NO. 21 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of road leading easterly to Findlay's lake. It is on the property of Joseph Rockwell. This monument was found to have heaved three inches, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 22 — MILESTONE 10.

Is a small monument standing upon a terrace on a steep southwesterly side of a deep ravine, 487.8 feet south of a large hemlock with "NXIII" cut on it, and is supposed to indicate the southeast corner of warrant No. 13 in the township of Green field, Penn., and about 2,000 feet north of monument No. 21, and forty feet south of where the creek crosses the line, on the property of Joseph Rockwell. This monument was found to be in good condition in every respect.

MONUMENT NO. 23 — HIGHWAY STONE 1.

Is a highway monument standing at south end of boundary line road. It is on the line between property of A. Haskins and J. McIntosh. This monument was found to be in good condition in every respect.

MONUMENT NO. 24 — MILESTONE 9.

Is a highway monument standing on the east edge of boundary line road, on level ground at northeasterly edge of a low bluff and 160 feet south of Black brook, a branch of French creek. It is on line between properties of Douglass and Greenman. This monument was found to be in good condition in every respect.

MONUMENT NO. 25 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of boundary line road, at its junction with road running southeasterly to Findley's lake. It is on line between properties of Douglass and Greenman. This monument has heaved four inches, otherwise it was found to be in good condition.

MONUMENT NO. 26 — MILESTONE 8.

Is a highway monument standing in cultivated ground, 645.3 feet south of the northeast corner of the township of Greenfield, Erie county, Pennsylvania, and on the west side of boundary line road, and 950.7 feet north of monument No. 25. It is on line between property of Douglass and Greenman. This monument was found to be in good condition in every respect.

MONUMENT NO. 27 — TOWN STONE.

Is a highway monument standing on the west side of a boundary line road, ten feet east of the end of Pennsylvania farm fence, and fifteen feet south of where brook crosses the line. It is on line between property of Douglass and Greenman. This marks the corner of the township of Greenfield, northeast, Erie county, Pennsylvania. This monument has its top two inches above surface of ground, otherwise it was found to be in good condition.

MONUMENT NO. 28 — HIGHWAY STONE 1.

Is a highway monument standing on the west side of boundary line road, opposite Mina school-house, No. 13, and at junction with road running to Grahamville. It is on line between property of Chasely and Greenman. This monument was found to be in good condition in every respect.

MONUMENT NO. 29 — HIGHWAY STONE 2.

Is a highway monument standing on the west side of boundary line road, at its junction with road running southeasterly to Findley's lake. It is on line between property of Chacely and Greenman, and was found to be in good condition in every respect.

MONUMENT NO. 30 — MILESTONE 7.

Is a highway monument standing on the west side of boundary line road, upon a southwesterly slope on cultivated land opposite the center of a private road leading east to the residence of Charles Stetson, and 1,858 feet north of monument No. 29. It is on the property of the Stetson estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 31 — HIGHWAY STONE 1.

Is a highway monument standing on the north side of boundary line road, at its junction with road leading westerly to the borough of Northeast, about 600 feet of monument No. 32. It is on line between properties of J. Cardot and J. C. Pitt. This monument was found to have its southeast corner chipped, and otherwise was in good condition in every respect.

MONUMENT NO. 32 — MILESTONE 6.

Is a highway monument, standing on level cleared land, on west side of boundary line road, 431.7 feet south of monument 33. It is on line between property of Chance Cordon and C. Sigby. This monument was found to be in good condition in every respect.

MONUMENT NO. 33 — HIGHWAY STONE 1.

Is a highway monument, standing at north end of boundary line road, at its junction with road running westerly to Borough of Northeast. It is on line between the property of Chance Cordon and C. Sigby, and this monument was found to be in good condition in every respect.

MONUMENT NO. 34 — MILESTONE 5.

Is a small monument, standing in level cultivated land, under worm fence, and about 1,200 feet south of monument 35. It is on line between the property of E. Stone and J. Burden. This monument was found to be in good condition in every respect.

MONUMENT NO. 35 — HIGHWAY STONE.

Is a highway monument, standing on north side of road leading from Northeast to Sherman. It is on line between the property of J. Tripp and E. Stone. This monument has heaved three inches; otherwise it was found to be in good condition.

MONUMENT NO. 36 — MILESTONE 4.

Is a small monument, standing in cleared land on a gentle northwesterly slope, east of line fence, and in a narrow opening between two pieces of woods on the New York side of the line. It is on line between the property of E. Stone and the Tripp estate. This monument was found to be in good condition, in every respect.

MONUMENT NO. 37 — GULF STONE.

Is a small monument, standing in thick, open woods, on left bank of steep gorge, about thirty feet south from edge of bluff, and 936 feet north of monument No. 36. It is on the property of J. Simonds. This monument was found to be in good condition in every respect.

MONUMENT NO. 38 — HIGHWAY STONE.

Is a highway monument, standing on the north side of highway leading from Ripley to Northeast. It is on the property of J. Simonds. This monument was found to be in good condition in every respect.

MONUMENT NO. 39 — MILESTONE 3.

Is a small monument, standing in open cultivated land, on level wet ground, in bottom of broad, shallow ravine, in worm fence, 100 feet south of Pennsylvania, east and west fence, and 2,300 feet north of monument No. 38. It is on the property of J. Simonds. This monument was found to be in good condition in every respect.

MONUMENT NO. 40 — GULF STONE 1.

Is a small monument, standing on level ground, in thick, young woods about forty feet south of the south bank of canyon of Twenty-mile creek, and on south side of line fence, on property of J. Simonds. This monument was found to be in good condition in every respect.

MONUMENT NO. 41 — GULF STONE 2.

Is a small monument, standing in thick woods, on level ground in a small depression forty feet west of a low bluff, and about thirty feet north of the north bank of canyon of Twenty-mile creek. This monument was found to be in good condition in every respect.

MONUMENT NO. 42 — HIGHWAY STONE.

Is a highway monument standing on the south side of road, which in the vicinity of this point is but little used. This monument was found to be in good condition in every respect.

MONUMENT NO. 43 — RAILROAD STONE 1.

Is a small monument standing between the tracks of the New York, Chicago and St. Louis railroad (nickel plate). This monument has its east side badly chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 44 — MILESTONE 2.

Is a small monument standing in open cultivated field on a gentle northerly slope, about 150 feet west of fence, running nearly north and south, and 443.8 feet south of monument No. 45. This monument was found to be in good condition in every respect.

MONUMENT NO. 45 — RAILROAD STONE 1.

Is a small monument standing on an embankment of the Lake Shore and Michigan Southern railroad. Has its top buried about a foot below the surface of the roadbed, otherwise this monument was found to be in good condition in every respect.

MONUMENT NO. 46 — HIGHWAY STONE 1.

Is a highway monument standing in south end of boundary line road, under tht northwest corner of porch of the store of H. W. Palmer & Son, which is on the south side of the main road leading to Northeast. It is on the property of H. W. Palmer estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 47 — HIGHWAY STONE 2.

Is a highway monument standing at north end of boundary line road, on its east side where it turns westerly into Pennsylvania. It is on line between the property of Perry Wolf and William Wolf. This monument was found to be in good condition in every respect.

MONUMENT NO. 48 — MILESTONE 1.

Is a small monument standing in partially cleared marshy land, the east edge of brush fence, 849.8 feet north of monument No. 47, and about twenty feet north of small maple, branching near the bottom, standing about ten feet west of line in the thicket. It is on property of Garrett Felton. This monument has heaved three inches, otherwise it was found to be in good condition.

MONUMENT NO. 49 — HIGHWAY STONE 1.

Is a highway monument standing on north side of highway, leading along shore of Lake Erie. It is on the line between property of Garrett Felton and J. Conley. This monument was found to be in good condition in every respect.

MONUMENT NO. 50 — INITIAL MONUMENT.

Is a large monument of Quincy granite, cut in the form of a flat obelisk, with its broad faces set in direction of the line. It stands four feet out of ground with a cross section two feet by two-thirds of a foot. It is lettered on the east face as follows:

Meridian of the west end of Lake Ontario, State of New York; 18 miles 52.5 chains N. from the north boundary of Pennsylvania, August 23rd, 1790.

The west face is marked as follows:

Territory annexed to the State of Pennsylvania, north, latitude forty-two degrees, sixteen minutes, thirteen seconds, variation twenty-five seconds, west.

The north side is marked as follows:

1869. Latitude, this stone, forty-two degrees, fifteen minutes, fifty-seven and seventy-nine-one hundredths seconds; longtitude this stone, forty-five degrees, fifty-four minutes, four seconds; meridian, thirty-five minutes, west.

This monument was set in 1869, 440 feet south of the original monument in 1790. It was readjusted in alignment in 1885. It stands clear in cultivated land, level ground, 150 feet north of monument No. 49. It is on line between property of J. Connor and Garrett Felton. This monument was found to be in good condition in every respect.

MONUMENT NO. 51 — BLUFF STONE.

Is a small monument standing upon the bluff overlooking Lake Erie, forty feet south of site of the original initial monument of 1790, about forty feet south of the edge of the bluff, 400 feet north of monument No. 49. It is on line between property of Garrett Felton and J. Connor. This monument was found to be in good condition in every respect.

NEW YORK AND NEW JERSEY.

Joint Report on the Examinations of the Monuments Marking the Boundary Line Between the States of New York and New Jersey.

Hon. Marvin Schenck, *State Engineer and Surveyor, Albany N. Y.:*

Sir.— We, the undersigned engineers, appointed by our respective State officials to co-operate in the examination of the monuments marking the boundary line between the States of New York and New Jersey, have the honor to submit this, our joint report. The monuments marking different parts of the boundary line are of so varied a nature and answer such different purposes, that it has been deemed advisable to subdivide the line into four parts, as follows:

First.— In Raritan bay, between the Romer Stone beacon and the permanent monument.

Second.— On the Arthur Kill or Staten Island sound, on the Kill Von Kull and New York bay.

Third.— On the Hudson river, to the northeast boundary line of New Jersey.

Fourth.— On the northeast boundary line of New Jersey, between the Hudson river and the Delaware river.

SUBDIVISION ONE (1).

In relation to this part of the line, our instructions were as follows: Examine carefully the present condition of the permanent monument in Raritan bay, its foundation, etc.; also, the super-

structure, and, if same needs painting; also, Morgan Range No. 2, and report if any repairs are necessary. Find if any of the seven iron buoys on the range between the permanent monument and the Romer stone beacon are in position where placed in 1887.

Should none remain, examine adjacent shores on Staten Island and Monmouth county, and if any should be found, secure them in a safe position, say at Keyport, N. J., or its vicinity, under the care of a suitable person; report upon their fitness for future use.

Gather such information as may be had from fishermen, oyster or clam men, as to the action of winter ice upon these buoys, and whether they can, in their opinion, be kept in position at a reasonable expense.

This part of the line was established by a joint commission of the two States, whose report was adopted October 12, 1887; its location is as follows:

First. From the "Great Beds lighthouse," in Raritan bay, north twenty degrees, sixteen minutes, west, true to a point in twenty degrees, sixteen minutes, west, true, to a point in the middle of the waters of Arthur Kill or Staten Island sound equi-distant between the southwesterly corner of the dwelling-house of David C. Butler, at Ward's Point, on Staten Island, in the State of New York, and the southeasterly corner of the brick building on the lands of Cortlandt L. Parker, at the intersection of the westerly line of Water street with the northerly line of Lewis street, in Perth Amboy, in the State of New Jersey.

Second. "Great Beds lighthouse," south, sixty-four degrees and twenty-one minutes, east, true, in line with the center Maackaack or Wilson's beacon, in Monmouth county, New Jersey, to a point at the intersection of said line, with a line connecting "Morgan No. 2," Triangulation Point, United States Coast Geodetic Survey, in Middlesex county, New Jersey, with the granite and iron beacon, known as "Romer stone beacon," situated on the "Dry Romer shoal;" and thence on a line, bearing north seventy-seven degrees, nine minutes east, true, connecting "Morgan No. 2," Triangulation Point, United States Coast and Geodetic Survey, in Middlesex county, New Jersey, with said "Romer stone beacon," (the line passing through said beacon and continuing in

the same direction) to a point at its intersection, with a line drawn between the "Hook beacon," on Sandy Hook, New Jersey, and the triangulation point of the United States Geodetic survey, known as the Oriental Hotel, Coney Island, New York; then southeasterly, at right angles with the last-mentoned line, to the main sea.

Third. The monumental marks by which said boundary line shall be hereafter known and recognized are hereby agreed to be as follows:

1. The "Great Beds lighthouse."

2. A permanent monument marked "State boundary line, New York and New Jersey, and to be placed at the intersection of the line drawn from the "Great Beds lighthouse," to "Waackaack or Wilson's beacon," Monmouth county, New Jersey, and the line drawn from "Morgan No. 2," triangulation point, United States Coast and Geodetic Survey, in Middlesex county, New Jersey, to "Romer stone beacon."

3. Eight buoys or spindles to be marked like the permanent monument above-mentioned, and placed at suitable intervening points along the line, from the said permanent monument to the "Romer stone beacon."

4. The "Romer stone beacon."

The superstructure of the permanent monument in Raritan bay was found to be in good condition except as to paint. The riprap, which was placed around and about the bottom of the superstructure to the height of eleven feet above the top of the level of the foundation, has been partially carried away. The protection the riprap affords to the superstructure is clearly shown by its absence, where the heavy ice in the Raritan river and Arthur Kill has dented and dinged the shell. In reference to this monument we would respectfully advise it be treated with two coats of white lead, and that riprap consisting of stones weighing not less than a thousand pounds be placed around the base of the superstructure to a height of five feet above mean high water. We would further advise that immediate action be jointly taken between the States of New York and New Jersey

in connection with the general government for the lighting of this monument, for in its present condition it is a standing menace to the hundreds of boats which continually use these waters.

GREAT BEDS LIGHTHOUSE.

This monument, used by the general Government as a lighthouse, was found to be in good condition in every respect.

MORGAN RANGE MONUMENT NO. 2.

We were unable to find the point shown on the map as Morgan No. 2, and used for determining the location of the permanent monument. Ranging back the line from Romer beacon to Morgan No. 2, to a point 1,045.7 feet from Morgan No. 2, we found the Morgan Range monument. This monument, above ground, is a rectangular pillar of marine granite, eight by twelve inches, in cross section, and twelve inches high. The north side is lettered thus:

Range monument for New York and New Jersey boundary.

The south side is lettered as follows:

North, seventy degrees, twenty-one minutes, forty-eight seconds east 1,046 feet to Morgan No. 2; 12,454 feet to boundary monument; 72,762 feet to Romer beacon.

It is situated eighteen feet south of line fence and about 100 yards west of where this fence comes down to the bluff at the old clay workings. At the monuments the following measurements were taken: North, twenty and one-fourth degrees east nine feet two inches to a young chestnut six inches in diameter; north, eighty-seven and one-fourth degrees west three feet seven inches to a chestnut eighteen inches in diameter; north eighty-nine degrees west to the residence of Richard F. Conover. This monument was found to be in good condition in every respect.

MORGAN TRIAL FLAG.

About 175 paces east of Morgan range monument a range flag was set in 1890, about twelve feet back from the brow of the hill. On account of the action of the elements on the sandy and clay

formation of the hill, the flag is now directly on the brow and is liable to be destroyed at any time. In reference to this, we would advise that the flag be placed on the chestnut directly back of the Morgan range monument, and that a clearing fifteen feet wide be cut from the top of the hill to the flag.

BUOYS.

None of the seven buoys placed in position between the permanent monument and the Romer stone beacon is now there. From inquiries made from the people living along the shores, we have ascertained that the stones that were used as anchors for the buoys were not of sufficient weight to hold them in position against the ice and heavy tides which are found in this part of the bay in the spring, and that the buoys have either been carried out to sea or sunk. In the remarking of this part of the line we would respectfully recommend that six wooden spar buoys be used, that they be painted white above the line of flotation, and green below it, and that they be held in position by stones weighing not less than three tons.

Subdivision 2. Starts from a point at the conclusion of the boundary in Raritan bay; thence in a succession of straight lines through the Arthur Kill, the Kill von Kull, New York bay, and the Hudson river to a point whose geographical location is: Latitude, 40 degrees, 59 minutes, 49 seconds, 74 north; second in meters, 1534.38; longitude, 74 degrees, 53 minutes, 38 seconds, 57 west; second in meters, 901.46.

This part of the line is indicated by range monuments and prominent land marks, such as church spires, flag staffs, tall chimneys, etc.

The range monuments are of marine granite, eight inches by eight inches, in cross section, and project out of the ground about six inches. The letters N. Y. and N. J. are placed on the appropriate faces of the stone; two one-fourth inch grooves, one in the direction in which the monument ranges, the other at right angles thereto, were cut in the top of each stone.

Considerable difficulty was experienced in locating these range monuments. The description of their location, furnished to the

joint commission in 1889, was very indefinite and incomplete, rendering a cursory examination impossible; not a bearing from a monument to any permanent point was furnished, so that, especially along the meadows, the finding of the monuments was simply a matter of luck. All of the monuments were found with the exception of three (3), and we have the approximate location of two of these three. All the monuments examined were found to be in good condition with the exception of a few which were slightly chipped. Monument No. 13, on the property of the Port Reading Coal Company, at Sewarren, N. J., is liable to be covered up by the embankment which is being made by the company at this point; some means should be adopted for the preservation of this range.

In relation to this part of the line we would respectfully recommend that the number of each monument be cut into or painted upon it. That some prominent mark, such as a flag or a tripod, be placed along side the monuments in the meadows to assist in more readily finding them, and that a new monument be placed south of monument 15 in range between Nos 13 and 15.

Subdivision 3. It was considered unnecessary to examine the range points for the line through New York bay and the Hudson river. They consist of crosses cut in rocks and prominent land points. A detailed description of their location will be found in the report of the riparian commissioners of New Jersey, for the year 1891.

Description of Monuments for Ascertaining the Boundary Line Between the States of New Jersey and New York in Arthur Kill or Staten Island and Kill Von Kull Sounds.

MONUMENT NO. 1.

For range through to Great Beds lighthouse dp. 680.64 dm. 1,081.61. This monument is at Perth Amboy, N. J. It is in the rear of Abr. Slaight's blacksmith shop. His shop is on the east side of street running along kill and adjoins C. M. Whittaker's marine railway. This monument has its top flush with the surface of the ground, otherwise it was found to be in good condition.

MONUMENT NO. 2.

For range through B. to low brick chimney, Perth Amboy, dp. 693.23 dm. 431.03. This monument is in the Cliff Park grove, at Tottenville, Staten Island, on the property of C. C. Ellis, at present leased by J. H. Starrin. It is on the west slope of steep bank, almost directly opposite the ferry dock in Perth Amboy, fifty-two yards north of line fence between Biddle and C. C. Ellis, and thirty-two yards from high water mark. The low chimney in Perth Amboy to which this monument ranges is one connected with the Rosseter Chemical Works, and is near the northwest corner of Water and Commerce streets. It is about sixty feet high. This monument has its southwest corner slightly chipped, otherwise it was found to be in good condition.

MONUMENTS NOS. 3 AND 4.

For range through B., dp. 1,077; dm., 300 for more westerly monument. These monuments are on the property of W. H. B. Totten, near the west slope of bank. Most westerly monument is just about opposite the opening of a street in Perth Amboy, N. J., running east and west. This street is the first one south of the terra cotta works. This monument is thirty-five yards east of line fence between Robinson and Totten's. The other monument is 130 feet southeasterly on this range from the other monument. It is on line between property of Robinson and Totten. This monument (No. 4) has its northeast corner chipped, otherwise it was found to be in good condition.

MONUMENT NO. 5.

For range through C. to Lehigh Valley railroad shops' chimney, dp. 1,363.55; dm., 198.46. This monument is on the property of David Van Name, just about opposite the Perth Amboy terra cotta works. It is near a large willow tree in the rear of the house, sixty feet to the northwest of the corner of the house. The chimney in this range is attached to car shops at the works of the Lehigh Valley railroad, just on the southern limits of Perth Amboy. This monument was found to be in good condition in every respect.

MONUMENT NO. 6.

For range through D. to Kressher's chimney, dp. 1709.67; dm. 1311.68. This monument is on the property of John M. Sleight, in Staten Island. This monument is six feet from high water mark and seventeen feet from northeast corner of line fence between J. M. Sleight and house of Jos. A. Sleight. This monument was found to be in good condition in every respect.

MONUMENT NO. 7.

For range through C. to fire brick works' chimney, dp. 1,808.45; dm. 1050.66. This monument is on the property of Alfred H. Sprague, in Staten Island. It is 19.48 feet from line fence between the property of Sprague and Henry Christopher, and fifteen feet alongside line fence to the line of Fisher street. This monument was found to be in good condition.

MONUMENT NO. 8.

For range through D. to Boynton chimney, dp. 75.88; dm. 948.83. This monument is on the property of Captain Oliver Neir, in Staten Island. It is in the dooryard of his house, under a small tree, three feet from line fence running parallel with water front and fifteen feet from line fence between the property of Neir and Enos R. Craft, and thirty-one feet from the northeast corner of Neir's house. This monument was found to be in good condition in every respect.

MONUMENT NO. 9.

For range through E. to Boynton's chimney, and F. to Mont (twelve in New Jersey), dp. 1146.3; dm. 1027.1. This monument is on the property of R. H. Boyde, in Staten Island, opposite the Seawarren Hotel, New Jersey. This monument is about 210 feet northwest of the most northerly of two houses, and is one foot south of line fence separating Boyde's property from J. Stony. It is on northwest slope of hill falling gently to Arthur Kill, 275 feet distant. This monument was found to be in good condition in every respect.

MONUMENT NO. 10.

For range through E. to Kreisher's chimney, dp. 1568.5; dm. 489.9. This monument is fifty-nine feet west of road running along water front from Seawarren Hotel to Central Railroad of New Jersey depot. It is on the property of John Taylor Johnson, about 800 feet from northwest corner of hotel and fifty-eight feet west of west gutter of roadway, and 176 feet from southeast corner of residence. This monument was found to be in good condition in every respect.

MONUMENT NO. 11.

For range through F. to paper mill chimney, dp. 1664.61; dm. 495.9. This monument for range through F. to paper mill chimney is on the property of John Taylor Johnson, of Senarren, N. J., on the west side of the road from Seawarren Hotel along water front to station of Central Railroad of New Jersey. It is about thirty feet from row of trees in edge of sidewalk nearest roadway on west side, 199 feet south from large willow tree in dooryard of residence. There are witness stones on the range line three feet eastward and westward of the monument. This monument was found to be in good condition in every respect.

MONUMENT NO. 12.

For range through F. to monument No. 9, dp. 1195.05; dm. 245. This monument is on the southeast side of the road leading from Seawarren northward and running along edge of meadow. The monument is in line with row of maple trees that line the edge of the road. It is about 136 feet along a range line to the hedge of meadow 32.7 feet to tree on north and 162 feet to tree on north. It is on the property of John Taylor Johnson. This monument was found to be in good condition in every respect.

MONUMENT NO. 13.

For range through G. to Smokey Point monument No. 15, dp. 1672.3; dm. 371. This monument is on south slope of bank, twelve feet from the hedge of salt meadow and 400 yards easterly from

main road to Seawarren. It is on the property of Port Reading railroad. This monument was found to be in good condition in every respect.

MONUMENT NO. 14.

For range through G. to paper mill chimney, dp. 6,617; dm. 1,050.88. This monument is situated in an open field next to a meadow near the fence, about 200 yards east of the residence of Henry A. Turner, and eighty-three yards west of large hickory tree. It is on the property of Port Reading Land Company. This monument has its four corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 15.

For range through G. to monument No. 13, New Jersey, dp. 610.45; dm. 985.77. This range also passes through the United States geodetic survey station. Smoky Point monument is on the edge of upland, seven feet higher than the meadow. It is 395 feet along the range from the water to the monument, thirty-nine feet from edge of meadow, and 238 feet to the northeast corner of the residence of John Dissosway. It is on the property of John Dissosway. This monument was found to be in good condition in every respect.

MONUMENT NO. 15 A.

For range through G, to monument No. 13, dp. 450.53 dm. 865.75. This range also passes through monument No. 15, and the United States coast and geodetic station, Smoky Point. It is 200 feet southeasterly on range from monument No. 15. This monument was set December 15, 1893, in perfect condition. It is six by six inches in cross section, and projects out of the ground about six inches. It is on the property of John Dissosway.

MONUMENT NO. 16.

For range through H, to Melvin chimney dp, 497.02, dm. 290.68. This monument is at Rossville, S. I., on the estate of Caleb Lyon. It is six feet south of road, twenty-five feet west line fence, and eighty-five yards eastward from the northeast corner of the residence of Lyon. This monument was found to be in good condition in every respect.

MONUMENT NO. 17.

For range through I, to Melvin chimney, dp. 448.21 dm. 203.05. This monument is at Rossville, S. I. It is on an easterly slope three feet from fence, dividing the dooryard of Miss Mary Cole from pasture; eighty-five feet along fence to public road, and 146 feet along public road eastward to small creek or gut. It is on the property of Miss Mary Cole. This monument has its northwest corner and south edge slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 18.

For range through H, to monument No. 20, dp. 505.84, dm. 98.04. This monument it at Rossville, S. I., just inside fence of public road, twenty-three feet from line fence between property of Mrs. Seguine and John H. Dissosuay, and seventy feet from street intersecting public road. This monument is on property of Mrs. H. O. Seguine. This monument was found to be in good condition in every respect.

MONUMENT NO. 19.

For range through I, to monument No.20, dp. 831.63, dm. 909.42. This monument is on Staten Island, on north slope of hill, seven feet from edge of meadows; forty-six yards from public road, and 130 yards from fence, corner of line fence between the property of Thomas P. Hardy and Harmon Decker. It is on the property of Harmon Decker. This monument was found to be in good condition in every respect.

MONUMENT NO. 20.

For range through H, to monument No. 18, through to monument No. 19, dp. 1,554.24, dm. 295.24. This monument is at Star Landing, N. J., five feet from line fence between the property of Milton Arrowsmith and Thomas Sawyer, and 100 yards northeasterly, to the corner of fence around Arrowsmith's barn-yard. It is on the property of Thomas Sawyer. This monument was found to be in good condition in every respect.

MONUMENT NO. 21.

Ranges through J, to Melvin's chimney dp. 235.16, dm. 1,291.71. This monument is at Star Landing, N. J., 300 yards north of the residence of Thomas Sawyer, and thirty-five yards south of where the uplands turns to the west. It is on the property of Thomas Sawyer. This monument was found to be in good condition in every respect.

MONUMENTS NOS. 22 AND 23.

For range through J, (23), dp. 1,098.52, dm. 1,264.83, (22), dp. 998.10, dm. 1,150.66. These monuments are in New Jersey, on the uplands, the more easterly monument is under a locust tree, about 300 feet north of Liebig's factory, twenty feet from the meadow, and five feet from the fence. The more westerly monument is 140 yards east of the public road on north end of uplands, where upland turns to the west, thirty feet from an oak tree; ten feet from the meadow, and 482 feet west from monument No. 22. Both these monuments are on the property of Carl Recnagle. They were found to be in good condition in every respect.

MONUMENT NO. 24.

For range through K to monument No. 29 dp. 1811.1; dm. 1,052. This monument is near Star Landing, N. J., twenty feet north of the meadow and just west of a foot-path leading to the fertilizer factory, 250 feet north of the north side of the road leading to Cartarut station. A small house at the end of a cable crossing stands on the salt meadow east by south of the monument. It is on the property of Chas. Lot. This monument was found to be in good condition in every respect.

MONUMENT NO. 25.

For range through L and No. 1 to monument No. 33 dp. 550.66; dm. 000. This monument is at Linoleumville, S. I., near the edge of meadow about 200 yards south of public road, passing through Linoleumville down to pier about fifty feet west of large chestnut tree and 100 feet south of fence that extends from the

woods into the meadows. It is on the property of the Linoleum Company. This monument has its four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 26.

For range through K to Melvin chimney dp. 968.6; dm. 598.85. This monument is in New Jersey fifty-five yards at right angles, north of branch railroad running from Cartarut to Clark's factory on upland. It is on the property of Geo. F. Gantz. This monument was not found.

MONUMENTS 27, 28, 29.

Twenty-seven to twenty-nine range through 1 and 2 (27) dp. 1,354.31; dm. 1,039.78; (29) dp. 1,611.7; dm. 1,220.9. Twenty-eight ranges through L to monument 30; 28 dp. 1,352.6; dm. 1,090.5. These monuments are all on Staten Island just south of Chelsea. The most northerly one is upon meadow belonging to Mr. Meyer. It is 200 feet northeast of a creek and fifty feet east of kill. The other two monuments are on the upland on property in charge of Marshall Cameron. The more westerly one is 150 feet north of public road, and the other is 250 feet north of road. Monument 29 is twenty feet east of United Coast survey signal ("Meyers"); all three monuments were found to be in good condition in every respect.

MONUMENTS NOS. 30 AND 31.

For range through 2 and L. (30) dp. 434.1; dm. 886.95; (31) dp. 498.27; dm. 762.02. These monuments are both on Tremley Neck in New Jersey, just upon the upland; distance between the monuments are 355.5 feet. Monument (30) about 165 yards from hotel, and sixty feet north from angle in wire fence. These monuments are on the property of John B. Wynants, and are in good condition in every respect.

MONUMENT NO. 32.

For range through 3 to monument 34 in Staten Island, dp. 775.8; dm. 1,115.5. This monument is on Tremley Neck, N. J., on the upland five feet south of meadow line. The meadow line

makes a sharp turn to the west about seventy feet northwest of the monument; a large oak tree is sixty feet southwest of the monument. It is on property of John D. Wynants. This monument was found to be in good condition in every respect.

MONUMENT NO. 33.

For range through 4 to monument 39 and through 3 to standard chemical chimney, dp. 1,345.78; dm. 00. This monument is on Prall's Island, near the north end, eighty yards west of the inside channel. This monument was found to be in good condition in every respect.

MONUMENT NO. 34.

For range through 3 to monument 32, and through 4 to standard chemical chimney, dp. 262.2; dm. 1,266.62. This monument is on Staten Island side, on meadow just north of Prall's island, and 925 feet from kill just at head of gut, which flows westerly into kill. This monument was found to be in good condition in in every respect.

MONUMENTS NOS. 35 AND 36.

Thirty-five ranges through P to monument 38, and through R to standard chemical chimney, dp. 1,805.9; dm. 303.9; (36) ranges through S to the more easterly Bouker fertilizer factory chimney, dp. 805.9; dm. 338.9. These monuments are on the upland. The monument the more westerly is seventy-five feet east of where the upland makes a sharp turn to the south, and the other monument is 108 feet east directly of the first one, and along north edge of woods. These monuments are on the property of J. S. Stutter est., north of Bloomfield. These monuments were found to be in good condition in every respect.

MONUMENT NO. 37.

Dp. 844.1; dm. 366.9, on Buckwheat island, near the north end, and marks boundary station zero. This monument was found to be in good condition in every respect.

MONUMENTS NOS. 38 AND 39.

Thirty-eight ranges through P. to No. 35, thirty-nine ranges through four to No. 33, thirty-eight dp. 1,809.75, dm. 2.51; thirty-nine, dp. 271.24, dm. 1,248.65. These monuments are on the New Jersey shore, on upland, some distance back from kill. No. 39 is just at edge of meadow and upland, 700 yards southerly along an avenue from Baltimore and Ohio railroad crossing, and forty yards east of said avenue. No. 38 is 1,200 feet south of 39, forty feet from edge of meadow on gentle slope of upland. This avenue is 430 yards west from Baltimore and Ohio and Central crossing at Bay Way station. These monuments are on property of D. Bounet, real estate agent. These monuments were found to be in good condition in every respect.

MONUMENT NO. 40.

For range through R. to Standard chemical chimney, dp. 132.07; dm. 187.76, just below Baltimore and Ohio railroad bridge in New Jersey, on upland, thirty yards north of creek. This monument is on property of Fire Proof Building Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 41.

For range through S. to Standard chemical chimney, dp. 355.35; dm. 929.68, on Staten Island, on meadow, nineteen yards at right angles from large ditch, running parallel with Baltimore and Ohio trestle on south side. The range line from monument through S. to Standard chemical chimney produce backward intersects the trestle in the twenty-ninth bent, between the two uprights, counting from the most easterly foundation pier. This monument was found to be in good condition in every respect.

MONUMENT NO. 42.

For range through B. to glue factory chimney, H. to oilcloth company's chimney, dp. 774.86; dm. 582.08, on Staten Island, in bend of gut flowing into ditch north of and parallel to Baltimore

and Ohio trestle and 300 yards from Baltimore and Ohio trestle. This monument is on the property of Wm. Dooly. This monument was found to be in good condition in every respect.

MONUMENTS NOS. 43, 44, 45.

Forty-three ranges through C. to the more easterly of the two taller chimneys at Singer's factory, dp. 1,248.8, dm. 28.91; (44) range through B. to Presbyterian Church spire, dp. 1,275.19, dm. 1,394.21; (45) ranges through C. to glue factory chimney, dp. 1,140.86, dm. 1,224.08; range north twenty degrees west of workshop of Dooly railway; also north sixty-six degrees east to opening in dike. All three monuments are in the immediate vicinity of Dooly's Marine railway, and are all on Staten Island, on meadow of Wm. Dooly. These monuments were found to be in good condition in every respect.

MONUMENT NO. 46.

For range through B. to Bergen Point light, dp. 814.53; dm. 388.4, at Port Richmond, S. I., in rear of Wm. Ross' lot, near kill. This monument was found to be in good condition in every respect.

MONUMENT NO. 47.

For range through E. to Bergen Point spire, dp. 342.37; dm. 303.16. This monument is at Port Richmond, S. I., rear of Abram Gibson's dooryard, forty feet from kill, three feet from the fence between property of Gibson and Stephen Squires, and seventy-five feet from line fence between property of Gibson and Ebhard Faber. This monument was found to be in good condition in every respect.

MONUMENTS NO. 48 AND 49.

No. 48 ranges through D, and produce in the opposite direction; it passes through the center of the agricultural works chimney, dp. 1,292.65; dm. 795.85. No. 49 ranges through E. and F. to monument 51. These monuments are at Bergen Point, N. J. No.48 is near edge of meadows, twenty feet

from Kill; fifty feet westerly from track of hand railroad running from works down on pier, and north seventeen degrees; east 180 feet from southeast corner of main building. No. 49 is forty feet west of storage shed, in little clump of trees, and 200 feet east of main building. They are on the property of Carr & Hobson. No. 48 was found to be in good condition, in every respect, and No. 49 was not found.

MONUMENT NO. 50.

For range through F to northeast prong of a church in Port Richmond, dp. 317.87; dm. 920.26. This monument is at Bergen Point, N. J., on south side of First street, fronting on kill; three feet inside of fence. It is on property of Rufus Story. This monument has its northeast corner slightly chipped, otherwise it was found to be in good condition in every respect.

MONUMENT NO. 51.

For range through E, and F, to monument 49; dp. 832.4; dm. 398.95. This monument is at West New Brighton, S. I., in the rear of the lot of the Staten Island Star, a local newspaper; four feet from the stoop, and forty feet from the Rapid Transit railroad tracks. It is on the property of the Staten Island Star. Ths monument was found to be in good condition in every respect.

MONUMENT NO. 52.

For range through G, and H, to monument 55. It is at Bergen Point, N. J., about 206 feet east of a street running from a new dock, belonging to the city, about sixty feet from edge of meadow, on a gentle easterly slope, and twelve feet from a large black walnut tree. It is on the Gunther estate. This monument was found to be in good condition in every respect.

MONUMENT NO. 53.

For range through G to oil company's chimneys, dp. 1,318.59; dm. 898.5. This monument is on Staten Island just west of Livingston Station on rapid transit road. It is thirteen feet

south of the center of the east wing of the electric-light factory. It is on the property of Staten Island Electric Company. This monument was found to be in good condition in every respect.

MONUMENT NO. 54.

For range through cross-cut upon capstone of wall for four minutes and I minute, dp. 1,206.33; dm. 7,709. Mark on monument, dp. 1,299.42; dm. 1,483. This monument is on the property of Sailor Snug Harbor. It is 225 feet from Richmond terrace and 253 feet along range line from cross-cut in capstone of fence, running parallel with and separating the property from Tyson street. The cross-cut is the other range for H and I. This monument was found to be in good condition in every respect.

MONUMENT NO. 55.

For range through G and H to monument 52, dp. 1,624.31; dm. 330.49. This monument is just inside curbing for sidewalk one inch below surface. It is on north side of Richmond terrace, east of New Brighton (rapid transit) station, and about opposite the Windsor Hotel, and also about opposite east end of platform of station. This monument was not found.

MONUMENT NO. 56.

For range through I to crude oil chimney, dp. 1,571.89; dm. 1,188.71. This monument is at St. George, Staten Island, on property of Baltimore and Ohio Railroad Company at west end of yard. It is four feet from foot of terrace, sixty feet from kill, 200 feet west of boat-house, fifteen feet from switch, south 57 degrees west from Robibns reef light. The south rail of lower track rests on south end of this monument, otherwise it was found to be in good condition.

Subdivision 4. This part of the line extends from (station rock) to the tri-State rock in the Delaware river. The monuments set on this part of the line are of the same class and description as

those set on the New York and Pennsylvania boundary line, with the exception that there are no fifth-class monuments. The monument at the eastern terminus is a large block of trap rock, seven feet six inches long, three feet two inches high, and about four feet thick. It is located at the foot of the palisades, and about six inches above storm water tides of the Hudson river. It is marked with a groove upon its perpendicular eastern face for its full height, at a distance of two feet south from its northerly end, and is further marked with the words, "Latitude forty-one degrees north," and on the north side of the grooves the words, "New York," and on the south side thereof the words, "New Jersey."

The monument at the western terminus of the line is of cut granite, two feet four inches long, one foot four inches wide, and projects now only one foot five inches above the surface of the rock in which it is embedded. It is marked upon its top surface with one-quarter inch grooves, showing the direction of the lines of the three States which meet here, and within the surface bounded by the lines the initials of the respective States are cut, the north side of the stone is further marked with the words "Tri States Monument." Each of these terminal monuments has a witness or reference monument located in the most suitable place nearest to it.

All of the monuments on this part of the line were found with the exceptions of monuments 58 and 111. They were generally found to be in good condition, with the exception of some which were more or less chipped at the corners and sides, while others leaned slightly from their truly vertical position, but this inclination was so slight that it was deemed unnecessary to reset them. Of all the monuments examined, we found but one that required immediate attention; this was milestone 36, on the west bank of Greenwood lake. This monument was found to have heaved eighteen inches and leaning considerably. Its unusual height was due to the action of the ice. This monument was reset in its original position with its top about two inches above the surface of the ground. We found several discrepancies in the detailed description of the monuments made in 1890. These discrepancies

were due to the changes in the ownership of land and the disappearance of trees and other reference or witness objects. In all these cases the changes are fully noted in the accompanying detailed descriptions of monuments. The only suggestion we have to make for the betterment of this part of the line is that a monument be placed where the Poughkeepsie and Boston railroad crosses the boundary.

Detailed Description of Monuments on the Boundary Line Between the States of New York and New Jersey from the Hudson River to the Delaware River.

EASTERN TERMINAL MONUMENT.

The monument at the eastern terminus of the line is a large block of trap rock, seven feet six inches long three feet two inches high and about four feet thick, it is located at the foot of the Palisades and about six inches above storm tides of the Hudson river. It is marked with a groove upon its perpendicular eastern face for its full heighth at a distance of two feet south from its northerly end and is further marked with the words "Latitude 41 degrees north," and on the north side of the groove the words "New York," and on the south side thereof the words "New Jersey." It lies 313 21-100 feet south eighteen degrees and forty-four minutes west from the United States Coast Survey Station Duer, and from the determinations of that survey it is in altitude forty degrees fifty-nine minutes forty-eight seconds seventeen-hundredths north, longitude seventy-three degrees fifty-four minutes eleven seconds west from Greenwich.

EASTERN WITNESS OR REFERENCE MONUMENT.

This monument is 488 feet from the terminal monument on the bank of the Hudson river and is 350 feet above tide level; it stands opposite a point on the Hudson River railroad about midway between Dobbs Ferry and Hastings and the boundary line is extended across the Hudson would cross the railroad near the tall

old chimney south of Hastings, by clearing away bushes in its immediate vicinity, the monument would be in plain sight of the east bank of the Hudson from near Sing Sing almost to Yonkers. The monument is in one piece, eleven and one-half feet long and with a cross section of something over one foot by two feet. It weighs nearly three tons and is set four feet down in an accurately cut hole in the rock and fastened with cement mortar, and is further supported for a foot and a half more by building stones and hydraulic mortar around it. The remaining portion (six feet) is hammered dressed and marked on two of its sides. The words "Boundary monument" and the date "1882" are cut on both sides. The north side is further marked.

NEW YORK.

HENRY R. PIERSON,
CHAUNCEY M. DEPEW,
ELIAS W. LEAVENWORTH,
Commissioners.

H. W. CLARKE,
Surveyor.

NEW JERSEY.

The south side is further marked:

ABRAM BROWNING,
THOMAS N. McCARTER,
GEORGE H. COOK,
Commissioners.

E. A. BOWSER,
Surveyor.

This monument stands on the property of the Palisade Land Company and aside from having three of its corners chipped it is in excellent condition.

MONUMENT NO. 1 ON ROAD BETWEEN THE EASTERN WITNESS OR REFERENCE MONUMENT AND MILESTONE "I."

This monument is situated on the west side of the boulevard which leads from Alpine, New Jersey, to the village of Palisades, New York, it is at the east foot of the hill which rises about fifteen degrees to its summit distant about 100 paces, is nine feet south of the stone and brush fence running south fifty-one degrees east and north fifty-one degrees west, and is also about 2,728 feet six inches east of milestone "I." At the monument the following bearing was taken: South, fifty-one degrees, east five feet one and one-half inches to a white-wood tree. Soil sandy. Disc set in lime obtained from an old house. This monument was found to be in good condition, southeast corner southeast corner slightly chipped.

MONUMENT NO. 2 OR MILESTONE NO. "I."

This monument is situated on the west slope of a ridge between the boulevard and the road from Alpine to Palisades. It is about 971 feet east of monument No. 3, and stands just east of the edge of a large grove of trees on land belonging to Jacob S. Moore and twenty-one paces north of a fence running up over the ridge. At the monument the following bearings were taken: South eighty-five degrees, west eighteen paces to a large oak, and south seventy-two degrees west fourteen paces to another. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect.

MONUMENT NO. 3 OR ROAD NO. 1, BETWEEN MILESTONES "I AND II."

This monument is situated on the west side of the road which leads from Closter north to Palisades, and is about 971 feet west of milestone I, and on ground sloping eastward. At the monument the following bearing was taken: North fifty degrees east thirty paces to a large oak which stands on the west side of the

road, and just in front of Mrs. Sparks house. Soil, sandy for a depth of three feet when solid rock was encountered. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 4 OR ROAD NO. 2.

This monument is situated on the west side of a road leading from Closter to Spark Hill, and is about 2,992 feet west of milestone I, and on ground sloping gently westward. At the monument the following bearings were taken: North by west five feet to a shade maple. Soil sandy. Disc set in wood ashes. This monument leans very slightly to the north and has its corners chipped, otherwise it is in good condition.

MONUMENT NO. 5 OR MILESTONE NO. "II."

This monument is situated in the Tappan timber swamp, on land of S. Blauveld, and is about 2,304 feet west of monument No. 4, on ground which is low all around and at times covered with water. At the monument the following bearings were taken: South fifty-one degrees east, six paces to a hickory standing on "line," also north seventy-five degrees east three paces to a large oak. Soil clayey. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 6 OR ROAD NO. 1 BETWEEN MILESTONES NOS. "II" AND "III," OR NORTHERN RAILROAD OF NEW JERSEY.

This monument is level with the surface of the ballast of the roadbed of the Northern Railroad of New Jersey, two feet eleven inches west of the westerly rail, and 104 feet four inches from the center (at the westerly end) of the center pier of the railroad bridge over small stream Sparkle, it is also 1,501 feet west of milestone "II" and 327 paces southeast of Tappan station. This monument was found projecting about two feet above the ground but standing vertically, supposing that the improvements to the roadbed which had been made at this point would account for its

unusual heighth above ground, we decided to lower it, but in making the excavation to do so the recorded disc was not found. Upon investigaton, it was ascertained that the section foreman of the road had shifted the monument four feet to the west of its proper position. A further excavation was made, the disc was found, and the monument properly reset in its original location. Disc remains as originally set in ashes from the railroad and fifteen inches below; the bottom of the stone badly chipped.

MONUMENT NO. 7 OR ROAD NO. 2.

This monument is situated on the west side of the road leading from Norwood to Tappan, adjoining land of William Rogers, and is about 2,904 feet west of milestone "II" and just upon the edge of high ground bordering a little swamp. At the monument the following bearing was taken: North thirty degrees, east seventy-five paces to the southwest corner of a barn which stands just east of the road. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 8 OR ROAD NO. 3.

This monument is situated on the east side of the road leading from Schraalenburgh to Tappan, about 4,400 feet west of milestone "II," and on ground rising gently northwest. At the monument the following bearings were taken: North seventy-six paces to the southeast corner of the Dutch Methodist church, standing just east of the road; also about north forty-eight paces to the front entrance of Bohner's yard; also about ten feet northerly to a cedar tree standing on the same side of the road. Soil sandy and somewhat stony. Disc set in wood ashes. This monument has its corners chipped slightly, otherwise it was found to be in good condition.

MONUMENT NO. 9 OR ROAD NO. 4 OR WEST SHORE RAILROAD.

This monument is situated between the two westerly tracks of the West Shore railroad, about at the east foot of the slope rising

to Andre hill, and forty-five paces south, twenty degrees west, of Andre avenue. At the monument the following bearings were taken: North fifty degrees west sixty-seven paces to monument No. 10, and north thirty-five degrees west fourteen paces to a pin-oak tree. Soil sandy. Disc set in wood ashes. This monument has all four corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 10 OR ROAD NO. 5 OR ANDRE AVENUE.

This monument is situated on the east side of Andre avenue, in front of land of James Bartow. It is about 5.051 feet west of milestone "II," and is thirteen paces south of the westerly fence of the avenue and on the east slope of the hill. At the monument the following bearing was taken: North ten degrees west thirty paces to the middle house of three which stands just north of the road or avenue. Soil sandy. Dics set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 11 OR MILESTONE NO. "III."

This monument is situated on the east slope of Andre Hill, about 584 feet from the summit or about half way up. At the monument the following bearings were taken: South forty degrees east thirty-six paces to the southwest corner of a little white house and south seventy degrees west eighteen paces to an old well. Soil of fine gravel and somewhat wet. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 12 OR ROAD NO. 1 BETWEEN MILESTONES "III" AND "IV."

This monument is situated on the top of Andre Hill, about 584 feet west of milestone "III" on land of Bartow. At the monument the following bearings were taken: South sixteen paces to the northwest corner of Bantow house, and north fifteen degrees east fifty-two paces to the Andre monument. The place where the monument was set appeared to be an old hole filled with stones of

all sizes. Disc set in wood ashes. This monument was slightly chipped on its northwest and southeast corners, otherwise it was found to be in good condition.

MONUMENT NO. 13 OR ROAD NO. 2.

This monument is situated on the east side of the road, about 1,825 feet west of milestone "III," and on ground comparatively level. It is twenty-four paces northwesterly of a small bridge which is the beginning point of two road districts, and twenty paces easterly of the entrance into Abraham Haring's barnyard. At the monument the following bearing was taken: North fifty-one degrees west to Haring's house. Soil sandy. Disc set in cinders. This monument was found to be in good condition in every respect.

MONUMENT NO. 14 OR MILESTONE NO. "IV."

This monument it situated in an old apple orchard belonging to G. and P. Dewolf, and is opposite a small cedar tree At the monument the following bearings were taken: North fifty-five degrees west thirteen paces to an apple tree, and north ten degrees west twenty-two paces to a whitewood tree. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect, eighteen paces east from fence.

MONUMENT NO. 15 OR ROAD NO. 1 BETWEEN MILESTONES "IV" AND "V."

This monument is situated on the east side of a road leading from Rivervale to Orangeburgh, and running about north and south, is about 2,419 feet west of milestone "IV," and eleven paces south of a small bridge and on level ground. At the monument the following bearing was taken: North ten degrees east 111 paces to an old stone house owned by Samuel Herring. Soil somewhat gravely. Disc set in light colored sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 16 OR MILESTONE NO. "V."

This monument it situated in the woods about fifty paces west of a cleared lot and about half way up the slope of a slight rise; it is also 5,261.27 feet west of milestone "IV," and twenty paces west of an old wood road running north and south. At the monument the following bearing was taken: South five degrees east four feet to an oak sapling. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect; slightly chipped.

MONUMENT NO. 17 OR ROAD NO. 1 BETWEEN MILESTONES "V" AND "VI."

This monument is situated on the west side of a road running northeasterly and southwesterly and leading to Blue Hill; it is also about 4,298 feet west of milestone "V," and sixty-eight paces south of the bridge. At the monument the following bearing was taken: North eighty degrees east 138 paces to a large locust tree standing in Mr. Tuttle's front yard. Soil sandy and slightly gravely. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 18 OR MILESTONE NO. "VI."

This monument is situated on the east slope of the hill in the wood lot belonging to Charles F. Brower and is 5,225 18-100 feet west of milestone "V." At the monument the following bearing was taken: South fifty-one degrees east to a tree, and north forty-two degrees east eleven paces to a hickory. Soil sandy. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 19 OR ROAD NO. 1 BETWEEN MILESTONES "VI" AND "VII."

This monument is situated on the west side of a road running south seventy-five degrees east, and north seventy-five degrees west, and is about 3,408 feet west of milestone "VI" and twenty paces south of an apple tree standing just on the west edge of

the road and on ground sloping westward. At the monument the following bearings were taken: South seventy degrees east twelve paces to a maple which stands between the east edge of the road and the stone fence, also north thirty degrees east fifty-five paces to a thorny locust tree which stands in the front yard of W. Comes. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect. Slightly chipped, northeast corner.

MONUMENT NO. 20 OR MILESTONE NO. 7.

This monument is situated very near the summit of the first ridge west of the road in an orchard on the estate of Jacob Horne and is about 5,241 feet west of mile stone "VI" and 1,833 feet west of monument No. 19, also thirteen paces from the westerly fence of the orchard. At the monument the following bearings were taken: North sixty-five paces to a large chestnut standing in the extreme southeast corner of the woods and north fifty degrees west twenty paces to another, the line also crosses the fence between the orchard and the woods at a distance of 130 paces northerly along the same from the lane. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 21 OR ROAD NO. 1 BETWEEN MILESTONES "VII" AND "VIII," OR THE NEW JERSEY AND NEW YORK RAILROAD.

This monument is situated on the west side of the track of the New Jersey and New York railroad close in by the end of the ties and about 1,640 feet west of milestone "VII," and about 880 paces along the track from the southeast corner of the depot at Pearl river and in a slight cut. This monument was found projecting about two feet above the ground and leaning badly, it was decided to properly reset it, to do which it was necessary to lower the disc. The material found in excavation was of a hard stratified clay affording an excellent foundation, so that we placed the disc only two inches below the bottom of the monument. This monument as reset has its corner slightly chipped.

MONUMENT NO. 22 OR ROAD NO. 2.

This monument is situated on the west side of a road leading from Mount Vale to Pearl river and running about north and south and is just about at the east foot of the hill, it is about 2,063 feet west of milestone "VII" and 385 feet west of monument No. 21, also about twelve feet north of the corner of a line fence running about north fifty-one degrees west up over the hill. At the monument the following bearing was taken: South forty-five degrees east, thirteen paces to the northwest corner of Buttock's barn. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect. Southwest corner chipped.

MONUMENT NO. 23 OR MILESTONE NO. "VIII."

This monument is situated in an open field belonging to Henry Blackwell, on slightly rolling ground, it is about 5,251 25-100 feet west of milestone "VII" and about 250 paces west of the nearest point of the Pascack creek. At the monument the following bearings were taken: South seventy degrees west, fifteen paces to an apple tree and south fifteen degrees east, ninety paces to a chestnut standing in the corner of the field. Soil sandy. Disc set in sand and the monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 24 OR ROAD NO. 1 BETWEEN MILESTONES "VIII" AND "IX."

This monument is situated on the east side of the road which runs north and south and is about 449 feet west of milestone "VIII" and about ten feet north of a small stream on grounds sloping eastward. At the monument the following bearings were taken: South twenty-four paces to the northwest corner of a house standing just east of the road. Soil very gravelly and the hole full of water. Disc set in wood ashes. This monument was found to be in good condition in every respect. Fifteen inches above ground.

MONUMENT NO. 25 OR ROAD NO. 2.

This monument is situated on the west side of the road, running nearly east and west, and just at the top of a hill, and is about 2,320 feet west of milestone "VIII." At the monument the following bearings were taken: South fifty degrees east twelve paces to a birch, and south nine paces to a chestnut standing just inside of the fence and near the bars. Soil sandy. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 26 OR ROAD NO. 3.

This monument it situated on the west side of the road, about 3,492 feet west of milestone "VIII," and about opposite the point at which a road running north and south enters the main road on which the monument is set. The main road runs from Manuette to Saddle river and the cross-road to Pearl river. At the monument the following bearings were taken: South fifty degrees east twenty-two paces to a small white oak standing just inside of the fence and at the intersection of the roads, and north fifty-one degrees west to the house at top of hill. Soil somewhat gravelly and much water in the hole. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 27 OR ROAD NO. 4.

This monument is situated on the west side of the road which runs about north and south leading from Hackensack to Spring Valley, and is about 109.50 feet east of milestone "IX" and on level ground, 100 paces from Walter Post house. At the monument the following bearings were taken: South eighteen degrees west seventy paces to a butternut which stands just in the angle of the fence, and north eighteen degrees east ninety-three paces to the southeast corner of an old building belonging to Mr. Post and standing just west of the road. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 28 OR MILESTONE NO. "IX."

This monument is situated in an open field on the property of Mr. Post and on level ground. At the monument the following bearings were taken: North fifty-one degrees west 115 paces to Post's house, and south ninety-two paces to the butternut described in the preceding description. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 29 OR ROAD NO. 1 BETWEEN MILESTONES "IX" AND "X."

This monument is situated on the west side of the road running about north and south, and is about 318 feet east of milestone "X" and on level ground. At the monument the following bearings were taken: South twenty degrees west fifty-five paces to the southeast corner of Leadwith's house, and north thirty-two degrees east eighty paces to the northeast corner of P. Christopher's house. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 30 OR MILESTONE NO. "X."

This monument is situated in an open field on the property of Mr. Leadwith, and just a little on the westerly slope of a slight rise, and is about 5,286.6 west of milestone "IX." At the monument the following bearings were taken: South twenty-six degrees east 135 paces to the northwest corner of Leadwith's house, and south seventy-eight degrees west ninety-two paces to a chestnut. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 31 OR ROAD BETWEEN MILESTONES "X" AND "XI."

This monument is situated on the east side of a road leading from Saddle river and running south twenty degrees west and north twenty degrees east. It is about 4,050 feet west of milestone "X," and on ground sloping gently westward to Saddle

river, distant about 270 paces. At the monument the following bearings were taken: North fifty-five degrees west sixteen paces to an apple tree standing just inside of the fence, and north eleven degrees west thirty-seven paces to the southeast corner of Van Buskirk's barn. Soil gravelly and sandy and hole very wet. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 32 OR MILESTONE NO. "XI."

This monument is situated in a little cedar grove belonging to Van Buskirk, and is 5,267.6 feet west of milestone "X," and about 1,217 feet west of monument No. 31, on ground ascending westward. At the monument the following bearing was taken: North thirty degrees east forty-five paces to a butternut which stands inside of the fence inclosing a young apple orchard. Soil sandy and somewhat stony. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 33, OR ROAD NO. 1, BETWEEN MILESTONES "XI" AND "XII."

This monument is situated on the west side of the road which runs north seventy-five degrees west and south seventy-eight degrees east; it is about 2,258 feet west of milestone "XI," and on the west slope of a hill near the top. At the monument the following bearings were taken: North seventy-five degrees west twenty feet to a large chestnut standing just south of the road, and south eighty-four degrees east thirty-two paces to the southwest corner of J. B. Degraw's house, which stands north of the road and about at the top of the hill. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 34 OR ROAD NO. 2.

This monument is situated on the east side of a road which runs northeast and southwest, and is 3,585 feet west of milestone "XI," and about at the foot of the hill adjoining lands of Nicholas

Henion. At the monument, the following bearings were taken: South fifty-two degrees west forty paces to an apple tree, and north twenty-five degree east to a buttonwood which stands near a bridge, and on the east bank of a stream, also five paces to the nearest point on said stream, and twenty paces south along the road to a point where it makes a right angle and runs eastward up the hill. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect; chipped on south edge.

MONUMENT NO. 35, OR ROAD NO. 3.

This monument is situated on the west side of a road which runs about north and south, and is about 4,083 feet west of milestone "XI," and on the east slope of a hill. At the monument the following bearing was taken: South ten degrees west to northeast corner of an old barn which stands directly opposite the junction of roads leading to Tallmans and Suffern. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 36, OR MILESTONE NO. "XII."

This monument is situated in the wood lot belonging to Cornelius Snyder at the west foot of the hill, and is about twenty-five paces north fifty-one degrees west from the corner of the line fence which ends at the woods. At the monument the following bearing was taken: North sixteen paces to an oak tree standing near a fence running east and west. Soil sandy. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 37, OR ROAD NO. 1, BETWEEN MILESTONES "XII" AND "XIII."

This monument is situated at the top of a hill and on the east side of a road running north and south, and is about 3,304 feet west of milestone "XII." At the monument the following bearings were taken: South twenty-three degrees east twenty paces

to the northwest corner of James Fox's house, and north twenty-two degrees east seventeen paces to an old apple tree. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 38, OR MILESTONE NO. "XIII."

This monument is situated on the west slope of a hill in an open field, the property of John Doremus, and 5,297 feet west of milestone "XII." At the monument the following bearings were taken: North fifty-seven degrees west to Doremus house, and north fifty paces to a small white oak standing in the corner of the field. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 39, OR ROAD NO. 1, BETWEEN MILESTONES "XIII" AND "XIV."

This monument is situated at the west foot of the hill and on the east side of a road running north forty degrees east and south forty degrees west, and is about 673 feet west of milestone "XIII." At the monument the following bearings were taken: South eighteen degrees east thirty paces to the northwest corner of Doremus' house and north ten paces to a whitewood tree standing on the opposite side near a large boulder. Soil coarse gravel. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 40, OR ROAD NO. 2.

This monument is situated at about the east foot of a hill and on the west side of a road which runs north twenty degrees east and south twenty degrees west, and is about 2,782 feet west of milestone "XIII." At the monument the following bearings were taken: North twenty degrees east ninety paces to a corner of a line fence between W. W. Way and adjoining land, and south forty-eight degrees east to a wild cherry tree standing in the

corner near a line fence. Soil sandy. Disc set in wood ashes. This monumnet was found to be in good condition in every respect.

MONUMENT NO. 41, OR MILESTONE NO. "XIV."

This monument is situated near the edge of the woods, on the west slope of the hill, and 5,298 feet west of milestone "XIII." At the monument the following bearings were taken: South forty two- degrees east nine paces to a white oak, and south fifty degrees west nine paces to a red oak; also about one-quarter of a mile west of W. W. Way's house, and at the corner of his land and David Fox's, Way's fence running westerly and Fox's running northerly. Soil sandy. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 42, OR ROAD NO. 1, BETWEEN MILESTONES "XIV" AND "XV."

This monument is situated on the south side of the private road or lane leading up to Colonel David Fox's house and is 3,434 feet west of milestone "XIV" and on level ground. At the monument the following bearings were taken: North eighty-five degrees east 190 paces to a large oak tree standing just outside of the yard limit, and south eighty-five degrees west five paces to a shade maple. Soil sandy. Disc set in sand, and monument being broken in the middle was set in cement. This monument was found to be in good condition in every respect; slightly chipped.

MONUMENT NO. 43, OR ROAD NO. 2.

This monument is situated on the east side of the old Ramapo post road, which runs about north and south, and is about 4,705 feet west of milestone "XIV." At the monument the following bearing was taken: South 215 paces to the bridge over the Mahwah river, also about one pace south of the corner of David Fox's line fence. Soil sandy. Disc set in ashes from the railroad. This monument was found to be in good condition in every respect; slightly chipped.

MONUMENT NO. 44, OR ROAD NO. 3, OR THE NEW YORK LAKE ERIE AND WESTERN RAILROAD.

This monument is situated between the two main tracks of the New York, Lake Erie and Western railroad, about forty-six paces west of monument No. 43 and 4,839 feet west of milestone "XIV." The slag or stone ballast of the railroad covers this monument to a depth of about six inches. At the monument the following bearing was taken: South forty degrees west forty-five paces to an old stone house. Soil, a mixture. Disc set in ashes from the railroad. Aside from this monument being covered to the depth of about one foot with the ballast of the railroad it was found to be in good condition.

MONUMENT NO. 45 OR MILESTONE NO. "XV."

This monument is situated in an open field upon the land of Dr. Zabriskie and is about 5,280 feet west of milestone "XIV" and on level ground. At the monument the following bearings were taken: South sixty degrees east thirty-five paces to an apple tree, and north fifty degrees east about seventy-five paces to Zabriskie's house. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 46 OR ROAD NO. 1, BETWEEN MILESTONES "XV" AND "XVI."

This monument is situated on the east side of the road which runs north and south along the east foot of the Ramapo mountains, and is about (no distance given in original report) west of milestone "XV." At the monument the following bearing was taken: South sixty degrees east 100 paces to the house of Owen DeGroot (colored), and north about six feet to a butternut tree standing opposite the end of a line fence. Soil sandy. Disc set in wood ashes. This monument has its southwest corner chipped down from the top a distance of about ten inches, otherwise it was found to be in good condition.

MONUMENT NO. 47 OR MILESTONE NO. "XVI."

This monument is situated about half-way up the east slope of the Ramapo mountain and ten feet east of a wood road which leaves the main road opposite the house of Owen DeGroot, and is about 10,463 feet west of milestone "XIV." At the monument the following bearings were taken: South eighty-five degress west three paces to a black oak tree, and north sixty-five degrees east to the spire of the Episcopal church in Suffern. Soil sandy until about six inches of the full depth, when a rock ledge was encountered on which was cut a cross in place of the disc. This monument was found to be in good condition in every respect.

MONUMENT NO. 48 OR MILESTONE NO. "XVII."

This monument is situated on the east slope of a ridge and just on the southeast edge of a little clearing, and is 5,141.65 feet west of milestone "XVI." At the monument the following bearings were taken: North sixty-five degrees west 250 paces to a chestnut tree standing in the door-yard just north of John DeGroot's house, and north fifteen degrees west three paces to a large white oak. Soil very rocky. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 49 OR MILESTONE NO. "XVIII."

This monument is situated in an open field belonging to Henry Parson, and about half-way down a gradual slope which begins at the mountain on the southeast and slopes westward; it is 5,301.2 feet west of milestone "XVII." At the monument the following bearings were taken: North eighty-five degrees east nine paces to a maple, and north eighteen degrees west about twenty paces to an apple tree also about 200 paces northerly to Billy Mann's house. Soil gravelly. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 50 OR ROAD NO. 1, BETWEEN MILESTONES "XVIII" AND "XIX."

This monument is situated on the east side of a road running north thirty degrees east, and south thirty degrees west through the valley. The monument is about ten paces north of a large

boulder, having blazed trees all about it. The boulder is of the following dimensions: About twelve feet long, six feet high and ten feet wide. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect. This monument is 156 paces southwest along said road from center of bridge over small stream 197 paces from big boulder at forks of same road and one that goes up the hill.

MONUMENT NO. 51 OR MILESTONE NO. "XIX."

This monument is situated very near the top of the ridge between Negro and Shepherd ponds on land belonging to Charles Morris. At the monument the following bearings were taken: South seventy-five degrees west three feet to a small white oak, and north seventy-five degrees east three paces to a hickory. The Negro house which stands on the northwest corner of Shepherd pond bears north fifty degrees west. Soil sandy until about six inches of the required depth where a ledge of rock was encountered on which a mark was cut in place of the disc. This monument was found to be in good condition in every respect. Slightly chipped.

MONUMENT NO. 52 OR ROAD NO. 1, BETWEEN MILESTONES "XIX" AND "XX."

This monument is situated in the woods about sixty paces west of milestone "XIX" and a little on the west slope of the ridge, and on the east side of the road which runs north thirty degrees east and south thirty degrees west. At the monument the following bearings were taken: East two paces to a chestnut and west five paces to another. Soil fine sand. Disc set in leaves. This monument was found to be in good condition in every respect.

MONUMENT NO. 53 OR ROAD NO. 2.

This monument is situated near the top of the first hill west of Shepherd pond and on the east side of the road running north twenty degrees east and south twenty degrees west, it is about 4,023 feet west of milestone "XIX." At the monument the fol-

lowing bearings were taken: North twenty degrees east 225 paces to Tidaboch's house, and south fifty-one degrees east about 100 paces to a barn belonging to DeGroot, also north fifty-one degrees west about two paces to a hickory tree about five inches in diameter which was exactly on line. Soil sandy. Disc set in wood ashes. This monument was said to be in good condition in every respect.

MONUMENT NO. 54 OR MILESTONE NO. "XX."

This monument is situated in a wet meadow about eighty paces west of the edge of the woods which skirts the meadow and is 5,227.4 feet west of milestone "XIX" and in a line fence between the land of Abram S. Hewitt and John Tidaboch. At the monument the following bearing was taken: South fifty-eight degrees east seventy-five paces to a large oak which about four feet from the ground divides into two trunks. Soil, about two feet turf, two feet blue clay and the balance good solid, sandy gravel; hole filled with water but the monument is firmly set in cement and the disc put in as usual. This monument was found to be in good condition in every respect.

MILESTONE NO. 55, OR ROAD NO. 1, BETWEEN MILESTONES "XX" AND "XXI."

This monument is situated in the valley on the west side of a road which runs north forty-five degrees east and south forty-five degrees west, it is about 2,544 feet west of mile stone "XX" and five paces north of a small brook. At the monument the following bearings were taken: North sixty-five degrees east sixty paces to the southeast corner of a Negro house. Soil gravelly and many boulders; hole filled with water and disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 56 OR MILESTONE NO. "XXI."

This monument is situated on the west slope of a high ridge and is just on the south edge of a small clearing and on the west edge of a wood road belonging to Abram S. Hewitt. At the monument the following bearing was taken: South fifty-one

degrees east, four paces to a white ash tree standing on line. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect.

MONUMENT NO. 57 OR ROAD NO. 1, BETWEEN MILESTONES "XXI" AND "XXII."

This monument is situated on the west slope of the mountain and on the east side of a road which runs south eighty-five degrees east and north eighty-five degrees west and is about 100 paces west of milestone "XXI." At the monument the following bearing was taken: North eighty-five degrees west nine paces to a white oak tree standing on the west edge of the road. Soil sandy. Monument was broken in getting it to the place and in consequence was only set about two feet, but very firmly. This monument was found to be in good condition in every respect. Slightly chipped.

MONUMENT NO. 58 OR MILESTONE NO. "XXII."

This monument is situated in the woods on the southeast slope of a hill which appears to be a projection from the Black Rock mountain; it is 5,258.46 feet west of milestone "XXI" and just on the edge of a lot of large rocks. At the monument the following bearings were taken: North fifty-three degrees west about twenty paces to the large boulder which caps the south end of Black Rock mountain and south forty-eight degrees east about four paces to a small black oak, also south thirty-two degrees east sixteen paces to twin white oaks ten inches in diameter, which separates about two feet above ground. Very rocky all about and in consequence a mark was cut in place of disc. This monument was found to be in good condition in every respect.

MONUMENT NO. 59 OR ROAD NO. 1, BETWEEN MILESTONES "XXII" AND "XXIII."

This monument is situated in the valley between Black Rock and Beach mountains, it is about 4,012 feet west of milestone "XXII" and on the east side of a road which runs south eighty

degrees west, and north eighty degrees east. At the monument the following bearing was taken: North seventy-two degrees west thirty paces to a whitewood tree and an elm which stand on the edge of a swamp, also about seventeen paces east of a small bridge. Solid rock was encountered and no disc was used. This monument was found to be in good condition in every respect.

MONUMENT NO. 60 OR MILESTONE NO. "XXIII."

This monument is situated in a swamp, but on ground somewhat higher, about at the foot of Beech mountain. At the monument the following bearings were taken: South twenty degrees west about 1,000 feet to the house of Mr. Patterson, on Beach farm, and south twenty-four degrees east twenty-five paces to an oak which stands on the southwest corner of a small clearing where now stands the ruins of an old house; it is 4,586 feet west of milestone "XXII" and at the foot of two birch trees. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect.

MONUMENT NO. 61 OR MILESTONE NO. "XXIV."

This monument is situated on the west slope of Beach mountain, about half way down, and on the west side of a road running about north and south, which at this point runs down hill toward the north; it is also 5,197 feet west of milestone "XXIII." At the monument the following bearing was taken: South sixty-seven degrees west forty paces to a large chestnut tree which stands just on the east edge of a wood road which leaves the main road near the monument. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect.

MONUMENT NO. 62 OR MILESTONE NO. "XXV."

This monument is situated on the west slope of the first ridge east of Greenwood lake and in the northwest corner of a swamp; it is also 5,247.4 feet west of milestone "XXIV." At the monument the following bearings were taken: North fifty-five degrees east five paces to an oak, and south forty-eight degrees east sixty

paces to an elm; also about south seventy-five degrees east to a large prominent rock. Soil clay and somewhat wet. No disc used. This monument was found to be in good condition in every respect.

MONUMENT NO. 63 OR ROAD NO. 1, OR THE NEW YORK AND GREENWOOD LAKE RAILWAY.

This monument is situated at the west foot of the ridge, on the east side of the New York and Greenwood Lake railroad track, and is about 2,525 feet west of milestone "XXV" and fifteen paces east of the edge of Greenwood lake. At the monument the following bearings were taken: North forty degrees east about seventy-five paces to the southeast corner of Ryerson's house and south forty degrees west fifty-six paces to the northeast corner of the railroad station. Soil sandy. Disc set in ashes from the railroad. This monument leans slightly to the north and has its northwesterly corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 64 OR MILESTONE NO. "XXVI."

This monument is situated at the east foot of Rough mountain, 5,282 feet west of milestone "XXV" and two feet six inches west of the crow foot cut into the large flat rock which lies on the extreme east edge of a point of land jutting out into Greenwood lake. At the monument the following bearings were taken: North twenty-three degrees west sixty-five paces to a large sugar maple which stands ten paces west of the road, and south seventy degrees west fifty paces to another which stands ten paces east of the road. Soil gravelly. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 65 OR ROAD NO. 1, BETWEEN MILESTONES "XXVI" AND "XXVII."

This monument is situated on the west side of the road which runs north twenty degrees east, and south twenty degrees west along the east foot of Rough mountain, and is about fifty paces west of milestone "XXVI." At the monument the following

bearings were taken: North twelve degrees east fifty paces to a sugar maple and south five degrees west fifty-nine paces to another (both of which are mentioned in the preceding description), also 760 paces along the road to the Lake Side House. Soil quite slaty Disc set in charcoal. This monument was slightly chipped along its southerly edge, otherwise it was found to be in good condition.

MONUMENT NO. 66, OR MILESTONE NO. "XXVII."

This monument is situated on Rough mountain about 300 paces west of the last or highest ridge, and on the west edge of a bad swamp and is distant 5,047.7 feet west of milestone "XXVI." At the monument the following bearings were tatken: South nine degrees east six paces to a white oak tree and north thirty degrees east about 100 feet to the outlet of the swamp, also one pace southerly to a pine tree. Soil sandy, though apaprently rocky everywhere else, cross cut on the ledge in place of disc. This monument was found to be in good condition in every respect.

MONUMENT NO. 67, OR MILESTONE NO. "XXVIII."

This monument is situated about half way up the easterly slope of a steep hill ten feet north of a line fence, and 100 paces north of a cleared field, and is distant 5,161 feet west of milestone "XXVII." At the monument the following bearings were taken: South five degrees east five paces to a small hickory standing in the line fence, and south forty degrees west to an old tumble-down house standing on the north side of the lane which leads up by Edsall's house, met rock here and moved the point one foot east and cut a mark in place of a disc. This monument was found to be in good condition in every respect.

MONUMENT NO. 68, OR ROAD NO. 1, BETWEEN MILESTONES "XXVIII" AND "XXIX."

This monument is situated on the west side of a road which runs north twenty degrees east, and south twenty degrees west, along the west slope of the ridge and is distant 1,295 feet west of milestone "XXVIII." At the monument the following bearings were taken: South twenty degrees west about ninety feet to a

large chestnut standing in the stone fence and north twenty degrees east about 110 feet to another, also 200 paces along the road to the lane leading to Edsall's house. Soil gravelly and some slate. Disc set in sand. This monument was chipped along its southerly edge, otherwise it was found to be in good condition.

MONUMENT NO. 69, OR MILESTONE NO. "XXIX."

This monument is situated about half way down the westerly slope of a steep hill in an open field of land of Mr. Wirght and is distant 5,232.8 feet west of milestone "XXVIII." At the monument the following bearings were taken: South fifty degrees west fifty paces to a large buttonwood tree and north nineteen degrees west 400 paces to the southeast corner of Wright's house. Soil sandy. Monument set in cement and disc in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 70, OR ROAD NO. 1, BETWEEN MILESTONES "XXIX" AND "XXX."

This monument is situated on the west side of a road which runs north forty degrees east and south forty degrees west and is distant about 1,813 feet west of milestone "XXIX" and about at the west foot of the slope. At the monument the following bearings were taken: North fifty degrees east 240 paces to a small house standing opposite the junction of the roads and south forty degrees west 100 paces to the northeast corner of Huzzie's house, also about forty paces westerly along the road to a bridge. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 71, OR MILESTONE NO. "XXX."

This monument is situated on top of a mountain and on the east slope of a ridge, about twenty-five paces west of an old wood road which runs between this ridge and one a little farther west, and is distant 5,325 feet west of milestone "XXIX." At the monument the following bearings were taken: North fifty-one degrees west seven paces to a large oak stump, and southerly four feet to

a small hickory six inches in diameter standing alone. Soil sandy. Disc set in leaves. This monument was found to be in good condition in every respect.

MONUMENT NO. 72, OR ROAD NO. 1, BETWEEN MILESTONES "XXX" AND "XXXI."

This monument is situated twenty-five feet east of the east side of a road which runs north forty degrees east and south forty degrees west through the hollow; it is distant about 1,020 feet west of milestone "XXX" and five paces easterly of the point where the brook crosses the road and at the west foot of the hill. At the monument the following bearings were taken: North sixty-eight degrees west twenty paces to a large hemlock and south sixty-five degrees east thirteen paces to a chestnut, also three paces to a black oak. Soil sandy, but very stiff and hard towards the bottom. No disc used. This monument was found to be in good condition in every respect.

MONUMENT NO. 73, OR ROAD NO. 2.

This monument is situated on the east side of a road running about north and south, and about at the top of a hill and is distant 2,260 feet west of milestone "XXX." At the monument the following bearings were taken: North eight degrees west eighty-three paces to a large hickory which stands just on the roadside in front of the house of John Wesley, and north fifty-eight degrees west twenty-two paces to an apple tree standing in the orchard west of the road. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 74, OR MILESTONE NO. "XXXI."

This monument is situated in an open field on the land of Millard Wallace, and on the west slope of the hill, and is distant 5,280 feet west of milestone "XXX." At the monument the following bearings were taken: South twenty-one degrees west fifty-six paces to a white oak tree standing alone in the southeast corner of the field and north forty-four degrees east 165 paces to

the southeast corner of Wallace's barn, also twenty-five paces easterly to a lane which runs by the aforesaid barn. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 75, OR ROAD NO. 1, BETWEEN MILESTONE "XXXI" AND "XXXII."

This monument is situated on the west side of a road running about north and south and sloping towards the north, and is distant 8,629.8 feet west of milestone "XXX." At the monument the following bearings were taken: North seven degrees east 425 paces along the road to the house of Levi Belden, which stands up at the junction of the road and north seventy-six degrees west to a pear tree standing just inside of the stone wall. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 76, OR ROAD NO. 2.

This monument is situated on the west side of a road running north seventy-eight degrees west and south seventy-eight degrees east, and in front of and near the northeast corner of a picket fence and between two shade trees, six feet nine inches south of one and nineteen feet nine inches north of the other. At the monument the following bearings were taken: North thirty-three degrees west eighty-two paces to the northeast corner of Mr. Welling's house, and south eighty-eight degrees east to another house down near the intersection of the road. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 77, OR MILESTONE NO. "XXXII."

This monument is situated in an open field belonging to Mr. William R. Welling, about three paces east of a lane running from his house down across the Wawayanda, and is distant 5,317 feet west of milestone "XXXI." At the monument the following bearings were taken: South thirty-four degrees east about seventy-five paces to the northwest corner of the main barn, and

north eighty-five degrees west 110 paces to a large hickory which stands in the southeast corner of a field and just opposite an angle in the lane; also south eighty degrees east forty paces to a large hickory distant nine paces from the lane. Soil sandy. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 78, OR ROAD NO. 1, BETWEEN MILESTNOES "XXXII," AND "XXXIII," ON LEHIGH AND HUDSON RIVER RAILROAD.

This monument is situated on the west side of the track of the Lehigh and Hudson River railroad, and is distant about 2,367 feet west of milestone "XXXII." At the monument the following bearings were taken: South eighty-eight degrees east 100 paces to an elm which stands in the field about 100 paces south of the track, and south sixty-four degrees east 100 paces to an hickory, and south twenty three degrees east to an elm, also about seventeen feet northerly along the railroad to the northerly abutment of the cattle pass. Soil sandy. Disc set in ashes from the railroad. This monument has one of its corners slightly chipped, otherwise it was found to be in good condition.

MONUMENT NO. 79, OR ROAD NO. 2.

This monument is situated on the east side of a road running north seventy degrees east, and south seventy degrees west on ground comparatively level, and is distant about 4,060 feet west of milestone "XXXII." At the monument the following bearings were taken: South sixty-five degrees west 363 paces along the road to the northeast corner of Alfred Ely's house and north thirty-five degrees west twenty-five paces to a butternut tree, and north forty degrees west twenty paces to another, also 263 paces along the road to where a brook crosses just at the junction of the road. Soil slaty. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 80, OR ROAD NO. 3.

This monument is situated on the west side of a road which runs north twenty-five degrees east and south twenty-five degrees west and at the east foot of a hill, and is distant about 4,616 west of mile stone "XXXII." At the monument the following bearings were taken: North fifty-one degrees west to a large live oak and north sixty degrees east sixty-five paces to an elm and east twenty-five paces to a butternut; also 350 paces along the road to Ely's house. Soil sandy, with slate-rock bottom. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 81, OR MILESTONE NO. "XXXIII."

This monument is situated on the east slope of a ridge and just a little on the south side of a line fence on the property of A. Ely, and is distant 5,355 feet west of milestone "XXXII." At the monument the following bearings were taken: North fifty-one degrees west five paces to a large white oak on line and south fifty-one degrees east to a butternut, also south about 300 paces to Ely's house. Monument set in rock excavation, with cross cut on the bottom in place of disc. This monument was found to be in good condition in every respect.

MONUMENT NO. 82, OR ROAD NO. 1, BETWEEN MILESTONES "XXXIII" AND "XXXIV."

This monument is situated on the west side of a road running north fifty degrees east and south 500 degrees west and on the top of a low ridge, and is distant about 4,354 feet west of milestone "XXXIII." At the monument the following bearings were taken: South fifty-one degrees east eight paces to a live oak, and south 400 degrees west 150 paces to the house of Mr. Forsher, also about three feet to the corner of a line fence. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 83, OR MILESTONE NO. "XXXIV."

This monument is situated in an open swampy field on land of Mr. Layton and is distant 5,280 feet west of milestone "XXXIII," and east of Pochuck meadow. At the monument the following bearings were taken: South five degrees west 250 paces to the northwest corner of Layton's house and north fifty-one degrees west ninety-five paces to a buttonwood standing on line, encountered a large boulder of what was apparently partly disintegrated quartz and had to fire blast. Disc set in fine gravel. This monument projects about twelve inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 84, OR MILESTONE NO. "XXXV."

This monument is situated in an open field on swampy low land about 100 paces east of the edge of the upland and the west edge of Pochuck meadow on the property of Linn Roy and is distant about 5,351.5 feet west of milestone "XXXIV." At the monument the following bearings were taken: North ten degrees west to Mr. Roy's house and south ten degrees east six paces to a pin oak tree standing on the south bank of a line brook. This tree is not notched or blazed. Soil soft and mushy. Disc set in sand and monument in cement. This monument projects about twelve inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 85, OR ROAD NO. 1, BETWEEN MILESTONES "XXXV" AND "XXXVI."

This monument is situated on the east side of a road running about at right angles to the line and on the east slope of the Pochuck mountain, and is distant about 700 feet west of milestone "XXXV." At the monument the following bearings were taken: South fifty degrees east fifty paces to an elm tree standing in the fence, and south twenty-four degrees west seventy paces to another on the east edge of the road. Soil sandy. Disc set in sand. This monument was found to be in good condition in every respect.

MONUMENT NO. 86, OR MILESTONE NO. "XXXVI."

This monument is situated in an open field on the east slope of the Pochuck mountain and on the property of Joseph Bailey and is distant 5,270 feet west of milestone "XXXV." At the monument the following bearings were taken: North forty-nine degrees east forty paces to the southeast corner of Joseph Bailey's house and south sixty-four degrees east forty paces to a large chestnut, also about south fifty-five degrees east to a black walnut tree. Soil sandy. Disc set in wood ashes. This monument projects twelve inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 87, OR MILESTONE NO. "XXXVII."

This monument is situated in a ravine between two peaks of the Pochuck mountain and on the west slope of the ridge and just on the north edge of a swamp on lands of Drake & Stratton, and is distant 5,147.7 feet west of milestone "XXXVI." At the monument the following bearings were taken: South fifty-one degrees east twenty-five feet to a live black oak about six inches in diameter and north seventy-six degrees west five paces to another standing about thirty feet south of the road leading to the orchard; following this road easterly about 100 paces, it opens into an apple orchard. Soil sandy. Disc set in leaves. This monument projects about nine inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 88, OR ROAD NO. 1, BETWEEN MILESTONES "XXXVII" AND "XXXVIII."

This monument is situated on the westerly side of a road which runs north forty-three degrees east and south forty-three degrees west and about at the west foot of the Pochuck mountain, and is distant about 3,651 feet west of milestone "XXXVII." At this monument the following bearings were taken: North eight degrees east seven paces to a cherry tree standing just inside of the fence, and south forty-six degrees west 200 paces to the north-

east corner of Levine Potter's house. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 89, OR MILESTONE NO. "XXXVIII."

This monument is situated in the meadow land east of the Wallkill river and distant 5,247.7 feet west of milestone "XXXVII." At the monument the following bearings were taken: North sixteen degrees west, sixty-three paces to a maple standing on the west bank of a ditch which begins at the east of and runs at right angles to the willows which skirt the road running across the Wallkill, also north eighty-five degrees east to Yarrington's house which stands on Liberty corner. This monument is also in the line fence between the lands of Levine Potter and Drake & Stratton. Soil about one foot muck and the balance white sand. Disc set in sand and the monument in cement. This monument projects about fifteen inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 90, OR MILESTONE NO. "XXXIX."

This monument is situated on the east slope of and about fifty paces from the foot of the first ridge west of the Wallkill low lands in a stone fence on the line between lands of Charles Tuttle and G. Van Gelder, and is distant 5,278.7 feet west of milestone "XXXVIII." At the monument the following bearings were taken: South seventy degrees east forty-eight paces to an oak standing just in the edge of the low land, and north fifty-five degrees west five paces to another standing just south of the fence. Encountered slate-rock and had to fire a blast. Disc set in wood ashes. This monument projects twelve inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 91, OR ROAD NO. 1, BETWEEN MILESTONES "XXXIX" AND "XL."

This monument is situated on the west side of the road which runs north forty degrees east and south forty degrees west and about at the west foot of a steep hill, and is distant about 2,100

feet west of milestone "XXXIX." At the monument the following bearings were taken: North forty degrees east 425 paces along the road to Charles H. Tuttle's house and north thirty degrees west to Mr. Clark's house; also north sixty degrees east forty paces to a cherry tree. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 92, OR ROAD NO. 2.

This monument is situated on the south side of a road which runs south fifty degrees east, and is about 100 paces along the same west of the top, and is distant about 4,173 feet west of milestone "XXXIX," the road referred to follows the boundary on the southwest side thereof nearly to milestone "XL." At the monument the following bearings were taken: South thirty degrees west, about 250 paces to a house standing in a hollow, and north fifty-one degrees west, to a large line tree. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 93, OR MILESTONE NO. "XL."

This monument is situated near the bottom of the west slope of the hill in an apple orchard, the land of Peter Kimber, and is distant 5,229.9 feet west of milestone "XXXIX." At the monument the following bearings were taken: North seventy-eight degrees west fifty-eight paces to a butternut, and north sixty degrees west 200 paces to Kimber's mill. Also about 100 paces to the intersection of the road. Disc set in sand and monument in cement. This monument was found to be in good condition in every respect.

MONUMENT NO. 94, OR ROAD NO. 1, BETWEEN MILESTONES "XL" AND "XLI."

This monument is situated on the north side of a road which runs nearly north and south, and about 100 paces east of the west foot of the hill, and is distant about 278 feet west of milestone "XL." At the monument the following bearings were taken:

North sixty degrees west 100 paces to the northeast corner of Kimber's mill, and south five degrees east seventy feet to a butternut, also just about opposite the intersection of the road. Soil sandy. Disc set in wood ashes. This monument leans slightly to the south, otherwise it was found to be in good condition.

MONUMENT NO. 95, OR ROAD NO. 2, OR THE NEW YORK, SUSQUEHANNA AND WESTERN RAILROAD.

This monument is situated at the west side of the track of the New York, Susquehanna and Western railroad, about three feet from the westerly rail and just about at the beginning of a slate cut, and is distant 500 paces west of milestone "XL." At the monument the following bearings were taken: North forty-five degrees east 225 paces to the southeast corner of a barn which stands on the lower road just at the entrance to a lane, and north fifty degrees west thirty paces to an apple tree. Met slate rock and had to blast. Disc set in wood ashes. This monument projects thirteen inches above the ground and leans slightly to the south, otherwise it was found to be in good condition.

MONUMENT NO. 96, OR ROAD NO. 3.

This monument is situated on the east side of a road running north twenty-five degrees east, and south twenty-five degrees west, and is distant 2,122 feet west of milestone "XL" and about four paces west of the west edge of a mill pond. At the monument the following bearings were taken: North forty-five degrees east forty paces to the southwest corner of a sawmill and south forty-five degrees east thirty paces to a wild cherry tree standing just on the east bank of a pond, also about twenty paces southerly to the intersection of the road. Soil sandy for one foot, but very hard and stiff. Slate in the bottom. Disc put in the side and a mark cut on the rock. This monument leans slightly to the southeast, otherwise it was found to be in good condition. Northeast corner chipped.

MONUMENT NO. 97, OR ROAD NO. 4.

This monument is situated on the west side of a road which runs north thirty-five degrees east and south thirty-five degrees west and about at the west foot of a hill and is distant about 5,083 feet west of milestone "XL." At the monument the following bearings were taken: North thirty-five degrees eighty-three paces to a white oak tree standing just east of and opposite the intersection of the roads and south thirty-five degrees seventy-five paces to a chestnut tree standing on the roadside at the top of the hill, also north thirty-five degrees west 200 paces to Everett's barn. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 98, OR MILESTONE NO. "XLI."

This monument is situated in an open field on the west slope of a small knoll and on land of Aliakin Everett, and is distant 5,280 feet west of milestone "XL." At the monument the following bearings were taken: North forty-five degrees east about 200 paces to the southeast corner of Everett's barn, and south five degrees east 115 paces to a chestnut tree mentioned in the preceding description. Soil sandy. Disc set in sand and monument in cement. This monument projects only three inches above the ground, otherwise it was found to be in good condition. Northwest corner chipped.

MONUMENT NO. 99, OR ROAD NO. 1, BETWEEN MILESTONES NOS. "XLI," AND "XLII."

This monument is situated on the west side of a road which runs north sixty-eight degrees west and sixty-eight degrees east and is distant about 418 feet west of milestone "XLI." At the monument the following bearings were taken: South sixty-eight degrees east 248 paces along the road to a white oak tree mentioned in No. 97, and south thirty degrees east 240 paces to a chestnut tree mentioned in No. 97. Soil sandy. Disc set in wood ashes. This monument has its corners chipped, otherwise it was found to be in good condition.

MONUMENT NO. 100, OR ROAD NO. 2.

This monument is situated on the east side of a road which runs north twenty-five degrees east, and on the westerly slope of the hill, and is distant about 2,906 feet west of milestone "XLI." At the monument the following bearings were taken: South thirty degrees west fourteen paces to the southwest corner of R. E. Hallock's barn, and north forty degrees east seven paces to a cherry tree standing inside of a fence east of the road. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every repect. Southwest corner chipped.

MONUMENT NO. 101, OR ROAD NO. 3.

This monument is situated on the west side of a road which runs north ten degrees east and south ten degrees west and is at the east foot of a hill and just opposite or in the line with the line fence between the lands of S. W. Benjamin and Charles Goldsmith, and is distant about 4,624 feet west of milestone "XLI." At the monument the following bearings were taken: South ten degrees west along the road to the northwest corner of Benjamin's house and north forty-five degrees east 145 paces along the road to Goldsmith's barn standing on the east side thereof. Soil sandy. Disc set in wood ashes. This monument leans slightly to the north, otherwise it was found to be in good condition.

MONUMENT NO. 102, OR MILESTONE NO. "XLII."

This monument is situated on the east slope of the hill, about twenty paces from the top, in a line fence between the lands of Benjamin and Goldsmith, and is distant 5,261.95 feet west of milestone "XLI." At the monument the following bearings were taken: South thirty-five degrees east, about 300 paces to the northwest corner of Benjamin's house and south twenty-five degrees west twenty-seven paces to a maple tree, also about three feet east to a live oak. Soil sandy, mixed with considerable slate. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 103, OR ROAD NO. 1, BETWEEN MILESTONES "XLII" AND "XLIII."

This monument is situated at the west foot of a steep slope and on the west side of a road which runs north fifty degrees east and south fifty degrees west and opposite a line fence, and is distant about 1,250 feet west of milestone "XLII." At the monument the following bearings were taken: South twenty-three degrees east ten paces to an oak tree which stands very near a prominent ridge of rocks and north thirty degrees east about 250 paces to the southeast corner of David P. Clark's house, also south fifty-one degrees east nine paces to a large crow-foot cut into the ledge of rock. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 104, OR MILESTONE NO. "XLIII."

This monument is situated in a line fence between lands of Joseph L. Clark and ———, and low meadow ground, and is distant 5,270 feet west of milestone XLII. At the monument the following bearings were taken: North thirty-two degrees west fifty-seven paces to a sugar maple and north fifteen degrees west 422 paces to a little red house standing just east of the road and on the land of Clark. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect. It was rather difficult to find this monument, standing as it does a trifle south of the center of a stone fence on the line between lands of Clark and ———. This monument was found to be in good condition in every respect.

MONUMENT NO. 105, OR ROAD NO. 1, BETWEEN MILESTONES "XLIII" AND "XLIV."

This monument is situated on the west side of a road which runs north thirty degrees east and south thirty degrees west, and is on the east slope of a small hill about twenty-five paces from the top and is distant about 1,014 feet west of milestone "XLIII." At the monument the following bearings were taken: North thirty-eight degrees east 230 paces to the house mentioned in

the preceding description and south fifty-one degrees east nine paces to a live oak which stands just on the east edge of a road and is the corner between the townships of Greenville and Minnesink, also about six feet north of the corner of a line fence between lands of Clark and Mr. Whorry. Soil sandy and very light. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 106, OR ROAD NO. 2.

This monument is situated on the west side of a road which runs about north and south and on ground sloping gently westward, and is distant about 3,685.9 feet west of milestone "XLIII." At the monument the following bearings were taken: South fifty-one degrees east to the corner of a line fence between lands of Northrup and Clark, and north fifty-five degrees west, 300 paces to the northeast corner of Chris. Forgersen's house which stands just south of a lane which leaves the main road 150 paces north of the monument, also north or south forty-seven degrees east, sixty paces to a white oak tree standing by the road side. Soil very rocky towards the bottom. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 107, OR MILESTONE NO. "XLIV."

This monument is situated in a kind of low swampy meadow on the north edge of the lane which runs by Forgersen's house, and about fifty feet east at the edge of the upland and is distant 5,304 feet west of milestone "XLIII." At the monument the following bearings were taken: South fifty-one degrees east, five paces to a live oak and north fifty-one degrees west, to a live chestnut. Soil clay with some gravel. Disc set in wood ashes. This monument projects twelve inches above ground, otherwise it was found to be in good condition.

MONUMENT NO. 108, OR ROAD NO. 1, BETWEEN MILESTONES "XLIV" AND "XLV."

This monument is situated on the east side of a road which runs north sixty-five degrees east, and south sixty-five degrees west, and on ground sloping gently eastward, and is distant about 2,965

feet west of milestone "XLIV." At the monument the following bearings were taken: South fifty-eight degrees east 140 paces to a large maple tree standing on the east bank of a brook and about two paces to the corner of a line fence between the lands of John Taylor and the Widow Corwin; also south fifty-eight degrees west 190 paces to the northwest corner of the Widow Corwin's house. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 109, OR MILESTONE NO. "XLV."

This monument is situated in the northeast corner of a meadow belonging to Albert Corwin and just at the southwest corner of the woods, and is distant 5,301 feet west of milestone "XLIV." At the monument the following bearings were taken: North fifty-five degrees west 450 paces to the northeast corner of Corwin's house, which stands on the west side of the road running along the east foot of Blue mountain, and north forty-four degrees east nine paces to a hickory. Soil clayey. Disc set in wood ashes. This monument projects fifteen inches above the ground, otherwise it was found to be in good condition.

MONUMENT NO. 110, OR ROAD NO. 1, BETWEEN MILESTONES "XLV" AND "XLVI."

This monument is situated on the east side of a road which runs north twenty-five degrees east and south twenty-five degrees west along the east foot of the Blue mountains, and is distant forty-seven feet south of the corner of a line fence between lands of Lansing Simpson and Albert Conover. At the monument the following bearings were taken: South fifty-five degrees west thirty-four paces to the northeast corner of the Widow Taylor's house, and north twenty-five degrees east 200 paces to the southeast corner of Simpson's house. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 111, OR MILESTONE NO. "XLVI."

This monument is situated in low scrub oaks on the west slope of the east summit of the Blue mountains about 200 paces from the summit and 210 west of an old wood road running north and south. At the monument the following bearing was taken: North fifty degrees west seventy-five paces to a gum tree standing in the first hollow west of the summit. Soil sandy, and the monument having been broken in getting it to the place, was only set in about one and one-half feet, but was very firmly wedged. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 112, OR MILESTONE NO. "XLVII."

This monument is situated on the west slope of the Blue mountains in low brush, but on ground that has once been cultivated and is distant 5,280 feet west of milestone "XLVI" and about five paces west of the edge of a wood road bearing south sixty-five degrees west. At the monument the following bearings were taken: South twenty-five degrees west twenty-nine paces to a chestnut tree which stands just at the angle in the road and just on the north edge of a large growth of trees, also north forty degrees west about one-third of a mile to James Hamilton's house, which stands in Fiddler's Elbow. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 113, OR ROAD NO. 1, BETWEEN MILESTONES "XLVII" AND "XLVIII."

This monument is situated on the east side of a road which runs a little northeast and southwest and at the foot of Hogback mountain, and is distant about 10,000 feet west of milestone "XLVI." At the monument the following bearings were taken: North fifty degrees west, to the south end of Alex. Burrows' house or saloon which stands about three feet clear in New York. The line at this point passing between his house and saloon, also three feet south of the corner of a line fence between lands of Michael

Fitzgerald and M. D. Graham. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 114, OR MILESTONE NO. "XLVIII."

This monument is situated on the top of the Hogback mountain in a line fence between lands of Thomas Dutton and the Widow Snyder, and is distant 10,419 feet west of milestone "XLVI," forty feet east of a ridge of rock and forty paces west of a small oak tree, about five inches in diameter which stands in said line fence. At the monument the following bearings were taken: North sixty-five degrees east to a hemlock. Met very hard rock and had to blast. No disc used. This monument has its northeasterly corner slightly chipped, otherwise it was found in good condition.

MONUMENT NO. 115, OR ROAD NO. 1, BETWEEN MILESTONE "XLVIII" AND CARPENTER'S POINT.

This monument is situated on the west side of a road which runs north twenty-five degrees east, and south twenty-five degrees west, and on ground sloping gently eastward and is distant about 300 paces west of milestone "XLVIII." At the monument the following bearings were taken: South sixty-four degrees west 125 paces to a hemlock tree standing on the top of the hill, and north ten degrees west 175 paces to the southeast corner of the Widow Snyder's house, also north fifty degrees west to a Negro house. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

MONUMENT NO. 116, OR NEVERSINK RIVER MONUMENT.

This monument is situated about fifteen paces east of the water edge of the Neversink river and on land of Mr. Phillips. At the monument the following bearing was taken: South fifty degrees east 135 paces to a Negro house standing south of the Widow Snyder's. Soil sandy. Disc set in wood ashes. This monument was found to be in good condition in every respect.

WESTERN WITNESS OR REFERENCE MONUMENT.

This monument stands on an eminence about midway between the rivers Delaware and Neversink and on land of the Laurel Grove Cemetery Company, and is distant north sixty-four degrees east seventy-two and a half feet from the tri-States rock or monument. It is similar in form and dimensions (above ground) to the witness or reference monument at the eastern terminus of the line, and in addition to the inscriptions cut on that monument, it is further marked on one of its edges with the words "Witness Monument" and on the New York side with the words "The corner between New York and Pennsylvania is in the center of the Delaware river, 475 feet due west of the tri-State rock," and on the New Jersey side with the words "South sixty-four degrees west seventy-two and a half feet from this in the tri-State rock, which is the northwest end of the New York and New Jersey boundary, and the north end of the New Jersey and Pennsylvania boundary." This monument was found to be in good condition in every respect.

TRI-STATE MONUMENT.

The point which this monument is intended to define was originally indicated by a crow foot cut into the natural limestone rock and which in 1874 was very plain, although its cut edges were somewhat smoothed by the exposure of 100 years. In 1874 the United States Coast and Geodetic survey, at the request of the Geological Survey of New Jersey, determined accurately the latitude and longitude of this point, and at the close of the work marked it by drilling a deep hole in the rock and fastening in it a copper tube filled with lead and setting and describing proper witnesses of its location. The station point according to this determination is in latitude 41 degrees 21 minutes 22.63 seconds north; longitude 74 degrees 41 minutes 40.70 seconds west from Greenwich.

By order of the joint commission on boundary line between the States of New York and New Jersey the copper bolt was excavated October 30, 1882, in making foundation for the existing

granite monument, the center of which was placed directly over the point occupied by the bolt. The monument as originally set in 1882 was similar in form and dimensions and built into the solid rock in the same manner as the witness or reference monument at the eastern terminus of this line. In the spring of 1883 the upper portion was broken off by ice and on May 21, 1885, by order of Commissioner Leavenworth, of New York, and Commissioner Cook, of New Jersey, the remaining portion was redressed to the existing dimensions which are as follows: Two feet four inches long, one foot four inches wide, and one foot five inches high above the surface of the rock in which it is embedded. Upon its top surface it was marked with one-quarter-inch groove, showing the direction of the lines of the three States which meet there, and within the surface bounded by the lines the initials of the respective States are cut. The north side of the stone is further marked with the words "Tri-State Monument." This monument is built into the natural rock at the junction of and near the high-water mark of the rivers Delaware and Neversink, and at this date is in good condition as above described.

NOTE.

The discs referred to in the above description are of earthenware, six inches in diameter, one-inch thick and perforated in the center and are, unless otherwise stated, placed vertically beneath the point to be marked by the monument and six inches beneath its bottom.

Having completed the work up to this point and having submitted our reports to yourself and the Riparian Commission of the State of New Jersey, a conference was held in New York, on October third, between the Deputy State Engineer, Mr. C. L. Johnson and Mr. J. C. Payne, representing Mr. R. C. Bacot, secretary of the Riparian Commission of New Jersey, the following memoranda of agreement was made for a further prosecution of this work:

No. 1. Suggest to Major Heap, or other proper United States officer, the advisability of repainting Romer stone beacon, and lighting the permanent monument.

No. 2. Consult Major Heap, and obtain his adivce as to the best form of buoy and anchorage to be placed between the permanent monument and Romer stone beacon.

No. 3. Get estimate of cost of six spar bouys and cost of suction anchors for same.

No. 4. Get from some responsible contractors estimate of cost of delivering and placing one scow load of stone at permanent monument, also estimate for delivering and placing 100 cubic yard, and 200 cubic yards, and also estimate for painting permanent monument.

No. 5. Morgan range, No. 2, nothing to be done here in carrying out recommendations.

No. 6. Mr. Sprouls, to transfer monument No. 13 to the Staten Island shore. Mr. Johnson to send new monument when notified by Mr. Sprouls.

No. 7. Monument at plaster-board factory, to be dug out and found, if possible; Mr. Sprouls to attend to this.

No. 8. Mr. Sprouls to make further efforts to find monument No. 26.

NORTHERN BOUNDARY.

No. 1. Monument No. 58 not found, but decision reached to defer further examination here for this year.

No. 2. Establish a new monument by joint action of Messrs. Sprouls and Flanigan on line of Poughkeepsie and Boston railroad, if Mr. Bacot concludes he has authority to do so.

No. 3. Messrs. Sprouls and Flanigan to place in their final report a tabulated statement of location of monuments governing the water boundary between the two States.

It was, however, afterwards determined at the suggestion of Mr. Bacot to omit the placing of the spar buoys between Romer stone beacon and the permanent monument and the establishing of a new monument on the northern boundary of New Jersey and on the line of the Poughkeepsie and Boston railroad. In accordance with instruction received, based upon the foregoing agreement, the three range monuments which were not found in the original examination were located and found in good condition.

A new monument was placed in a prolongation of the range line from monument No. 13 to monument No. 15, 200 feet southerly from No. 15. The iron work of the permanent monument was treated with two good coats of white lead and oil and original lettering reproduced. Around the base of the structure of the permanent monument was placed gneiss riprap stone sufficient to raise the upper part of the stone work to a height of four feet four inches above mean high water and entirely remedy all damage heretofore done by storm action to the foundation of this monument.

Very respectfully submitted.

C. H. FLANIGAN.
For New York.
H. S. SPROULS,
For New Jersey.

Description of the Stone Monuments Marking the Boundary Between the States of New York and Vermont.

ALBANY, N. Y., *August* 23, 1893.

Hon. MARTIN SCHENCK, *State Engineer and Surveyor, Albany, N. Y.:*

Sir.— I have the honor to submit my report of the examination of the condition of the monuments marking the boundary line between the States of New York and Vermont, undertaken in pursuance of your letter of instruction of the first inst.

This line was established and monumented by a joint commission of the two States, whose final report was submitted to the Legislature of the State of New York on October 25, 1814, and since that time no remedial measures have been applied to it. The monuments placed by this commission were for the greater part of a temporary character, consisting of stakes of wood and "blazed" trees; heaps of field stones, and only where the line crossed the then existing highways was the line properly marked by durable stones of varying dimensions.

The lapse of eighty years from the time of the original location of the line to the present examination in connection with the perishable material of the monuments has resulted in the loss of most of them, and this examination was confined to those points which were originally monumented in a substantial manner. Thirty-three of those points were called for and only six of them were found to be in good condition; three of them are missing and the others are in various conditions of dilapitation and wear, as shown in the subjoined detailed report.

The following table made from data in the original report of the commission shows the changes in the direction of the line from its starting point to the end:

BEARING OF LINE.	LENGTH OF TANGENT.			How monumented.	Intermediate points.
	Miles.	Chains.	Links.		
Starting point.					
Thence N. 82° 20′ W	.....	50	.....	Rough stone	None.
Thence N. 5° W	3	72	.....	None	None.
Thence N. 35° E	.....	30	.....	None	None.
Thence N. 1° 20′ W	.....	6	.....	Cut stone, rock	None.
Thence N. 27° 20′ W	.....	30	.....	Cropping	None.
Thence N. 25° W	.....	16	70	None	None.
Thence N. 9° W	.....	18	60	None	None.
Thence N. 11° E	.....	77	.....	None	None.
Thence N. 46° E	.....	6	.....	None	None.
Thence S. 66° E	.....	26	25	None	None.
Thence N. 9° E	.....	29	50	Rough stone	None.
Thence N. 7° 30′ E	6	52	.....	Cut stone	2
Thence N. 8° 20′ E	6	44	50	Tree	4
Thence N. 9° E	6	34	50	Stone pile	4
Thence 9° E	6	48	.....	Stone pile	3
Thence N. 8° E	1	41	.....	Tree	1
Thence N. 10° 15′ E	.....	55	50	Tree	1
Thence N. 9° 15′ E	.....	20	.....	Stump	None.
Thence N. 8° 45′ E	4	18	10	Stone pile	1
Thence N. 8° E	6	31	15	Stone pile	5
Thence N. 7° 30′ E	6	6	25	Tree	2
Thence N. 7° E	1	12	50	Tree	1
Terminal point	.....	.....	.....	Tree	.....

From the above table it is seen that eight of the twenty-three controlling points of the line were never placed. That eleven of them were inadequate for the purpose and only three of them remain. Of the remaining four of the twenty-three only one is of cut stone; two of rough uncut stone; and one is not positively identified as being the recorded point.

To undertake any partial repairs would prove unnecessarily expensive and impracticable, for it is conclusively shown that sufficient data is not at hand for rerunning the line in any one

specific direction, and that a long survey would have to be made from such points as are definitely determined. Before the intention of the present law can be carried into effect the line must be entirely rerun and properly monumented. This work should be done by the two States; not with the idea that simple repairs are being made to the line, but with the definite understanding that the line at present between them is really an imaginary one and worse than no line at all.

When these points have been marked properly and permanently the expense of maintaining the line would be but slight and I would, therefore, recommend that such legislative action be undertaken as will empower the State Engineer and Surveyor, acting in conjunction with the authorized representative of the State of Vermont, to rerun this boundary line and properly mark by permanent and durable monuments all points of angular deflection, all mile points and highway and railroad crossings and the terminal points of the line.

Your attention is respectfully called to the detailed description of the monuments. The description and location given by the commission of 1814 are first recorded and then under the heading of "Condition," the size and present condition of each stone is given.

Each monument is located by the property owners adjoining, and such other facts as tend to locate and describe it are given and finally a suggestion as to what repairs, if any, are considered necessary for its betterment.

C. H. FLANIGAN.

MONUMENT NO. 1.

A rough stone set up and marked on the west side, "N. Y." and on the east side "V," supported by a heap of stones on brow of a high hill descending to the west, and at the distance of fifty chains on a course north eighty-two degrees and twenty minutes west from the northwest corner of the State of Massachusetts.

Condition.— This stone is a piece of blue slate, roughly set up in a heap of field stones, which heap is about six feet in diameter

and two feet high, and is in the woods on the lands of William Moon, on the west slope of Petersburgh mountain. A suitable monument should be placed here.

MONUMENT NO. 2.

A hewn marble slate, marked on the west side, "New York, 1813," and on the east side, "Vermont, 1813," standing on the westerly side of Hoosic river, on the north side of the highway leading out of Hoosic into Pownal and near the northwesterly corner of the bridge crossing said river.

Condition.— This stone is as described, at the northwest corner of the Pownal bridge, on the highway leading from North Pownal to North Petersburgh, but about three feet from original position. The stone is seventeen and one-half inches wide by four inches thick, and projects two feet nine inches above the ground; it is badly chipped on the upper edges, and is nearly down. It should be reset.

MONUMENT NO. 3.

A large, roundish rock on the northeasterly bank of the Hoosic river.

Condition.— There is no absolute certainty about this point as examined. There is an end of a limestone knoll projecting out to the water edge, and worn round by ice. A hole was found in rock near water. It is just south of the north track of the Fitchburg railroad, which at this point has cut through the knoll. The line should be rerun and a suitable monument placed.

MONUMENT NO. 4.

A blue slate stone, anciently set up, for the southwest corner of Bennington, and "1813" lately cut on it.

Condition.— This stone is of rough, irregular shape, about four feet long, seventeen inches wide and six inches thick. It was found buried under a brush fence, laying flat with letters down, on the lands of George Potter. The letters "P" and "B," the initials of the towns, are cut upon it, but not 1813, as described, one-half mile northwest from Potter's house on west slope of hill about four feet from leaning maple.

MONUMENT NO. 5.

A hewn marble stone, marked on the west side, "New York, 1813," and on the east side, "Vermont, 1813," and set up on the south side of the highway leading from Hoosic Four Corners to Bennington village, and on the northerly side of a hard maple tree.

Condition.— This stone is eighteen inches wide, three inches thick, and projects two feet two inches above the ground. The top, including the inscription, is broken off, and it leans slightly to the east. The line of the highway has been changed, and now the stone stands in a line fence between the lands of George Wilcox and Doty Brimmer, about 100 feet north of the present road and about twenty-five feet north of large elm which stands on line. A new stone is required.

MONUMENT NO. 6.

A hewn marble stone, marked on the west side, "New York, 1813," and on the east side, "Vermont, 1813," and set up on the southwest side of a highway leading from Hoosic Four Corners to Shaftsbury.

Condition.— This stone has been changed to the southeast side of road, is eighteen inches wide, three and one-half inches thick and projects two feet two inches above the ground, and is in fence between highway and lands of the Burden Iron Company. The top is broken off, the inscription on the west side is nearly gone, and the stone leans to the north and east. A new stone is needed here.

MONUMENT NO. 7.

A white marble stone, erected at an intervale at the northwest corner of the town of Bennington and on the southwest corner of the town of Shaftsbury, and lettered on the east side, "Bentn. N. W. corner."

Condition.— this stone is ten inches wide, nine inches thick and projects two feet and seven inches above the ground, and is on the lands of Jesse Allen. The top and corners and interior are broken

and it leans to the north and west about fifteen inches. It is also about 150 feet north of the foot of the hill, and south fourteen degrees west forty-two spaces is a large elm tree. This monument should be reset.

MONUMENT NO. 8.

A hewn marble stone, marked on the west side, "New York, 1813," and on the east side, "Vermont, 1813," and set up on the south side of a highway leading out of Hoosic into Shaftsbury, one chain south eight degrees twenty minutes west from the middle of the front door of the dwelling-house of John Mathews.

Condition.— This stone is eighteen inches wide, three inches thick, and projects three feet and nine inches above the ground and leans very slightly to the south and east. The house spoken of is a substantial brick structure and is now owned by Jesse Allen. No repairs are needed.

MONUMENT NO. 9.

A hewn marble stone, marked "New York and Vermont State line, seventy-five rods to Elias Huntington's stone factory," and set up at the north side of the highway leading from the meeting-house in Shaftsbury to the meeting-house in Little White Creek.

Condition.— This stone is very elaborate and in one piece. The portion bearing the inscription is two feet wide, two feet high and three inches thick; the main shaft to the ground is fifteen inches wide, four feet high, and three inches thick, making six feet the total height of the stone above ground. It is at the junction of the mentioned road with a road running south on the State line to Jesse Allen's house. The stone leans to the south at an angle of forty-five degrees, and is at fence dividing lands of Patrick Ryan and Cal. Eddy. It should be reset.

MONUMENT NO. 10.

A hewn marble stone marked on the west side "New York, 1813," and on the east side "Vermont, 1813," and set up at the south side of a highway running out of Cambridge into Shaftsbury.

Condition.— This stone is sixteen inches wide, three and one-half inches thick and projects two feet and ten inches above

ground. It is at the northwest corner of the orchard nearest the dwelling of, and on the lands of Harmon Niles. The top, including the inscription is broken off, and it leans badly to the north and west. A new stone should be furnished.

MONUMENT NO. 11.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side "Vermont, 1814," and set up on the north side of a highway leading from Shaftsbury West Hollow into Cambridge.

Condition.— This stone is fourteen inches wide, three inches thick and projects three feet and three inches above ground. It leans to the south and is in fence dividing lands of Benjamin Smith and Frank Fuller. It should be reset.

MONUMENT NO. 12.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side "Vermont, 1814," and set up on the north side of a highway leading out of Cambridge into Arlington.

Condition.— This stone is fifteen inches wide, three inches thick, and projects above ground three feet and one inch, and leans slightly to the east. It is also at the southeast corner of a cemetery and at junction of road with a lane running north to Mrs. Quackenbush's house. No attention is required.

MONUMENT NO. 13.

A common stone, marked on the west side "N" and on the east side "V," set up on the northwest side of a highway leading out of Cambridge into Arlington.

Condition.— This stone formerly stood in line of fence dividing the lands of Roland Nicholson and Daniel Hover, and about four years ago was removed by Hover in repairing the fence. It was placed in the wall and was not found. The line should be rerun and a suitable monument furnished.

MONUMENT NO. 14.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side "Vermont, 1814," and set up on the north side of a highway leading out of Cambridge into Arlington.

Condition.— This stone is fifteen inches wide, four inches thick, and projects three feet two inches above ground. It is close to the fence and hidden from view by thick brush and is on the lands of William Thompson. It leans to the west about twenty inches. On line and about fifty paces is an oak tree and forty-four paces along the road to the northwest the brook crosses the road from the west to the east side. It needs resetting.

MONUMENT NO. 15.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side, "Vermont, 1814," and set up on the the north side of a highway leading from Arlington to the turnpike road in Cambridge.

Condition.— This stone is eighteen inches wide, ten inches thick, and projects above ground three feet. It leans very slightly to the west and south and is just east of residence of David Law. No attention is required.

MONUMENT NO. 16.

A large pile of stones, about one chain west of the summit of a very high mountain, at the northwest corner of the town of Arlington and the southwest corner of the town of Sandgate.

Condition.— This point was not found. It was located on a steep descent and the stones have been heaved out of place by frost and covered by debris. A brush fence between Marsh and ——— is considered the town line and there is a fence on "the State line," dividing lands of Plunkett and Marsh. The line should be rerun and a suitable monument furnished.

MONUMENT NO. 17.

A hewn marble stone, marked on the west side, "New York, 1814," and on the east side, "Vermont, 1814," and set up on the north side of a highway leading out of Sandgate into Salem.

Condition.— This stone is sixteen inches wide, six inches thick, and projects three feet above ground; it leans to the south at an angle of sixty degrees and is in fence dividing the lands of David Richards and George Peck. The road upon which it is placed is called the "Camden road." It should be reset.

MONUMENT NO. 18.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side "Vermont, 1814," and set up on the north side of a highway leading out of Sandgate to Salem.

Condition.— This monument is thirteen inches wide, four inches thick and projects one foot eight inches above ground. The top is broken and chipped, but it stands erect and at fence dividing the lands of Martin Collins and Patrick McGarvey. The road upon which it is situated is called the "Beattie Hollow road." No immediate attention is required.

MONUMENT NO. 19.

A hewn marble stone, marked on the west side "New York, 1814," and on the east "Vermont, 1814," and set up on the north side of a highway leading southwesterly out of Sandgate into Salem.

Condition.— This stone is thirteen inches wide, four inches thick and projects three feet and three inches above the ground. It now stands erect, having been reset about one year ago by the farmers living near, as it had fallen from its place and slid down the bank and into the roadway. It is at the division fence between James Wilson and Josiah Barnett. The road upon which it is located is called the "Perkins Hollow" road. The line should be rerun and a monument placed correctly.

MONUMENT NO. 20.

A maple stake and heap of stones, at the northwest corner of the town of Sandgate and the southwest corner of the town of Rupert, about ten links southwest from a beech tree, marked on the west side "1813," and on the north side "I. Beeman," and on the east side "W. M. M."

Condition.— This heap of stones is now about three and one-half feet in diameter and one layer thick, and is at the south corner of the fence dividing the lands of Frank Hopkins and John Sheldon. The witness beech tree is gone, but north seventy degrees west seven and one-half feet is the center of a yellow birch tree, eighteen inches in diameter. A suitable monument should be furnished.

MONUMENT NO. 21.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side, "Vermont, 1814," and set up on the northwest of a highway called the Vermont turnpike road, leading from Rutland southwesterly to Salem village.

Condition.— This stone is seventeen inches wide, nine inches thick and projects three feet above ground and is in good condition. It stands, as described, on the Vermont turnpike, about one mile west of the village of West Rupert, and in line between the lands of John Sheldon and Albert Sherman. No attention required.

MONUMENT NO. 22.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side, "Vermont, 1814," and set up on the southwest side of a highway leading northwest out of Rupert into Hebron.

Condition.— This stone is sixteen inches wide, three and one-half inches thick and projects fifteen inches above the ground and is in good condition. This road, which leads out of West Rupert to the northern turnpike, has, at this point, been changed to the east, and from the monument south eighty degrees east seventeen paces is the westerly road fence. The monument stands in a poplar grove on the lands of Richards. No attention is required.

MONUMENT NO. 23.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side, "Vermont, 1814," and set up on the south side of a highway leading out of Rupert into Hebron.

Condition.— This stone is fourteen inches wide, three inches thick and projects three feet above ground; it is slightly chipped on the top and leans to the north and west about fifteen inches from a perpendicular position. It stands at the stone wall dividing the lands of Spencer Shaw and M. Purclee, and on the road leading east from the village of East Hebron to the Vermont turnpike. Needs resetting.

MONUMENT NO. 24.

A stake and stones at the northwest corner of the town of Rupert and the southwest corner of the town of Pawlet, six links south of a beech tree, marked on the west side, "New York," and on the east side, "Vermont."

Condition.— The top of this heap of stones is only discernable, and is located in the line of a brush fence dividing the lands of Merrit C. Borden from those of H. C. Bramer. The decayed stump of the witness beech tree remains. A suitable monument should be furnished.

MONUMENT NO. 25.

A common stone, marked "N" on the west side, and "V" on the east side, and set up on the northwest side of a highway leading out of Pawlet into Hebron.

Condition.— This stone was not found. Those living near say it has been gone at least five years. The line should be rerun and a suitable monument furnished.

MONUMENT NO. 26.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side "Vermont, 1814," and set up on the northwest side of highway leading southwest out of Pawlet into Hebron.

Condition.— This stone is fourteen inches wide, five and one-half inches thick and projects two feet above the ground, and is in good condition. It is located in West Pawlet village, in fence between residence of W. W. Burdick and tenement of Lou John-

son and fifty paces east of point where brook crosses road and west two feet to a shade maple tree. No attention required.

MONUMENT NO. 27.

A hewn marble stone, marked on the west side "New York State, 1814," and on the east side "Vermont State Line, 1813," and set up on the southwest side of a highway leading northwest out of Pawlet into Granville.

Condition.— This monument is eighteen inches wide, three and one-half inches thick and projects three feet above ground. It is slightly chipped at its upper edges, but otherwise is in good condition. It is in the village of West Pawlet within the stone wall in front of the dwelling house of Whalen Johnson. No attention required.

MONUMENT NO. 28.

A hewn marble stone, marked on the west side "New York, 1814," and on the west side "Vermont, 1814," set up on the north side of a highway leading out of Pawlet westerly into Granville.

Condition.— This stone is fifteen inches wide, four inches thick, projects two feet two inches above ground. It is slightly chipped and leans to the west about ten inches from a perpendicular position. It is in fence between William Baker and John Williams. The road has at this point been changed to the south. The stone is about eighty-four paces north of line of north side of the present highway fence. Needs resetting.

MONUMENT NO. 29.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side "Vermont, 1814," and set up on the north side of a highway leading from Pawlet to North Granville.

Condition.— This stone is seventeen inches wide, seven inches thick and protects three feet above ground. It is chipped on its upper edges and the inscriptions are defaced and illegible, but it stands vertically and it is about half mile east of Granville village and at the first stone fence west of the residence of Joseph Safford. New inscriptions should be cut on this stone.

MONUMENT NO. 30.

A white oak stake and stones on the west side of a stone wall at the northwest corner of the town of Pawlet, and the southwest corner of the town of Wells, five links west of a large flat stone laid on other stones, sunk in the ground and inscribed on both sides with the letters "W. P."

Condition.— The stone wall has been removed and the witness stone only was found. It is a rough slate, two feet wide and one foot six inches high, standing in the earth and leaning to the west. The recorded inscription is not clearly discernible. It is in the wood lot belonging to Joseph Safford, and is distant north thirty degrees west four paces from shell-bark hickory tree, dividing into two trunks three feet above ground. The line should be rerun and a suitable monument furnished.

MONUMENT NO. 31.

A large flat stone set in the ground and marked "M. 41."

Condition.— A soft slate stone was found, standing on edge and set in the ground in the land of John Cavanaugh. The stone is badly broken and large pieces had scaled off, and no inscription was found. A suitable monument should be furnished.

MONUMENT NO. 32.

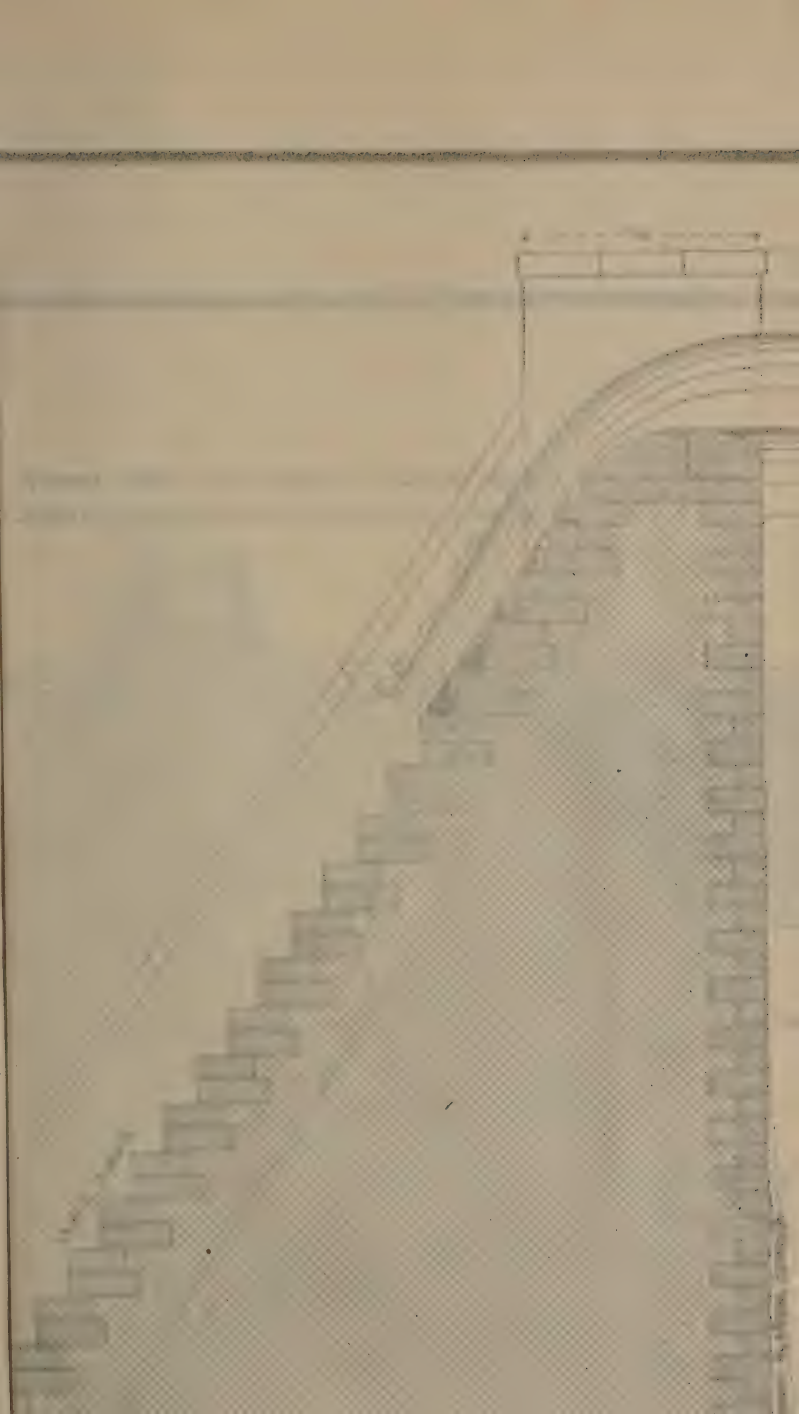
A hewn marble stone, marked on the west side "New York, 1814," and on the east side, "Vermont," and set up on the northwest side of the turnpike road leading from Granville to Hubbardton.

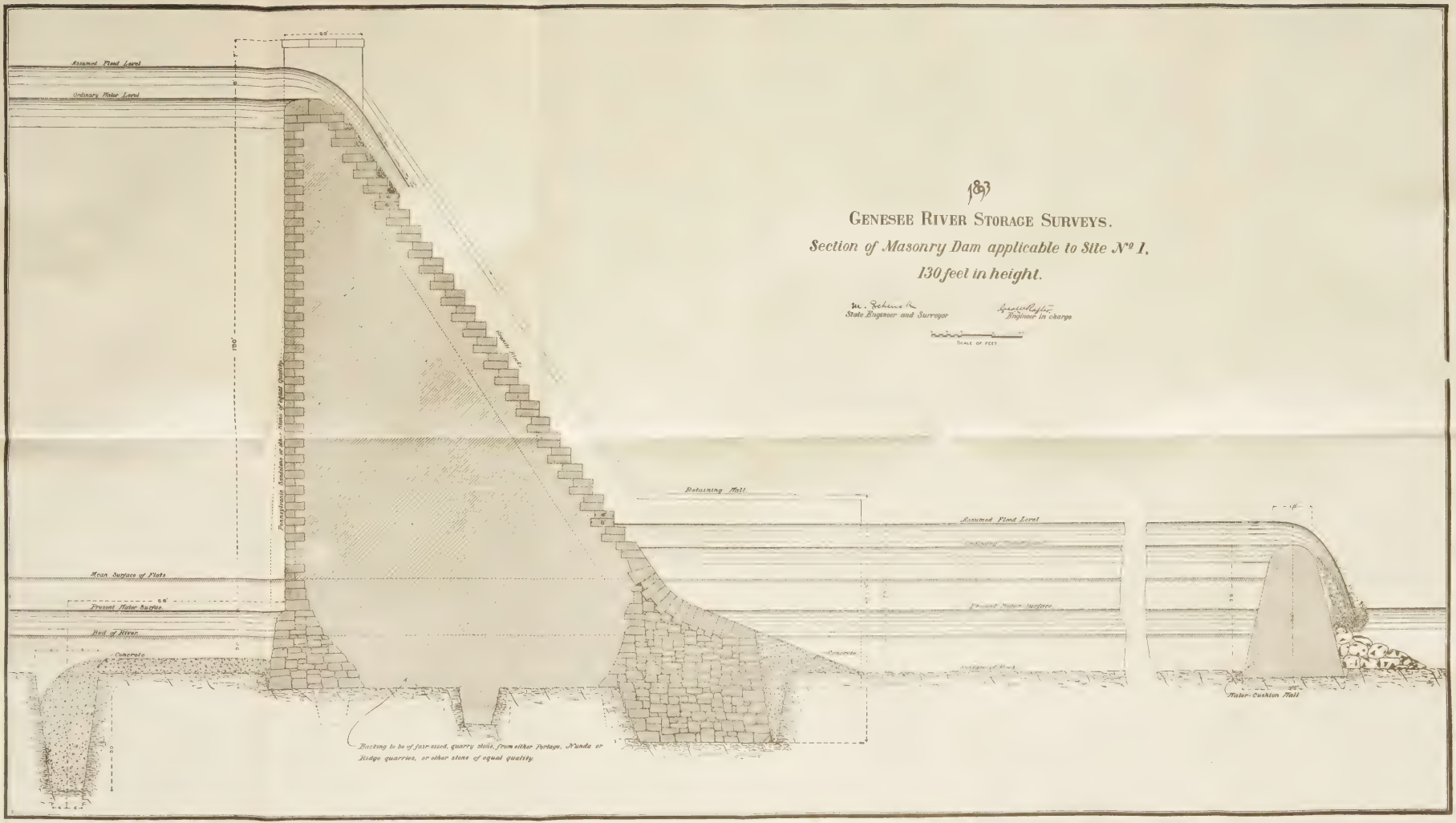
Condition.— This stone is sixteen inches wide, nine inches thick and projects three feet above ground, slightly chipped on the edges and leans to the east about twelve inches from a vertical position. It is on the road now called the old turnpike, about fifty feet north of the junction of the road leading to Little Granville and is adjoining the lands of Francis Hammond. Need resetting.

MONUMENT NO. 33.

A hewn marble stone, marked on the west side "New York, 1814," and on the east side, "Vermont, 1814," and set up on the side of a highway leading from Poultney into Hampton.

Condition.— This stone is seventeen inches wide, eleven inches thick and projects three feet above ground, leans at an angle of thirty degrees to the south. It is on the south side of the highway and on the land of N. C. Hyde. Needs resetting.




Assumed Flood Level
Ordinary Water Level
Mean Surface of Flats
Present Water Surface
Bed of River
Concrete
Pennsylvania Bluestone or other Stone of equal Quality
Retaining Wall
Assumed Flood Level
Present Water Surface
Concrete
Surface of Rock
Water-Cushion Wall
Facing to be of fair-axed, quarry stone, from either Portage, Nunda or Ridge quarries, or other stone of equal quality.

1873

Genesee River Storage Surveys.

Section of Masonry Dam applicable to Site N° 1, 130 feet in height.

M. Beckwith
State Engineer and Surveyor

Assistant Engineer in charge

Scale of Feet

APPENDIX G.

REPORT ON THE GENESEE RIVER STORAGE.

ALBANY, N. Y., *December* 15, 1893.

Hon. MARTIN SCHENCK, *State Engineer and Surveyor:*

Sir.—I herewith present the following preliminary report in relation to the Genesee river storage project, on which, as per instructions, I began work July 25, 1893:

The excellent general surveys and studies made under the direction of the Hon. John Bogart, by Messrs. Bailey and Kibbe, and which appear together with the report of Mr. Bogart himself on this project in the annual report of the State Engineer and Surveyor for the fiscal year, ending September 30, 1890, have furnished the basis of the present year's work and no attempt has been made to go over any portion of the ground covered by these engineers. This season's work has been of an entirely different nature from that accomplished by these gentlemen in 1890. The preliminary studies having demonstrated not only the practicability but the desirability of a large storage dam on the Genesee river in the vicinity of Mount Morris, the problem then presented itself in the following form, namely, having given a number of sites where, as indicated by the preliminary surveys, large storage dams can be constructed, it is reguired to determine at which point the largest amount of storage can be obtained at the least expense, the form of construction to be such as will give, so far as engineering skill can forsee, an absolutely safe dam.

The amount of storage obtainable for various heights of dam is exhibited in the report of Mr. Bailey, as already referred to in the annual report for 1890, and the matter is accordingly further

narrowed to a detailed examination of the available sites, with a view of determining (1) the most desirable site; (2) the form of dam which will best fit the existing conditions; and (3) the cost of a dam, combining a maximum of efficiency and safety with, so far as possible, a minimum of expense.

The main questions needing further consideration in connection with the Genesee river storage project having been thus saliently defined in the foregoing, we may, in order to get our information all together, properly review briefly the main points of the preceding reports.

(1.) In appendix F to the annual report for 1890, Mr. Bogart presents, in response to a resolution of the Senate of March 21, 1889, a statement of (a) why the interests of the State would be subserved by the construction of a storage reservoir on the Genesee river; and (b) an estimate of the amount of storage required for immediate canal purposes.

(2.) Following Mr. Bogart's report appears the report of Mr. Bailey, giving the contents in cubic feet and the area in acres of a pond formed by dams, at each of four feasible locations, for every ten feet increase in depth up to 130 feet.

(3.) Also following Mr. Bogart's report appears the report of Mr. Kibbe, which includes (a) a short history of the Genesee river feeder at Rochester, and the relation of the present available water supply from the Genesee river to the proper maintenance of navigation in the Erie canal; and (b) a brief consideration of the hydrologic questions involved.

(4.) Under a concurrent resolution of the Legislature of 1892 a commission, consisting of Evan Thomas, Esq., president of the New York Produce Exchange, Hon. John Bogart, and Judge Charles McLouth, of Palmyra, was appointed "to inquire, consider and report what measures may be expedient for the State to adopt for carrying into effect the suggestions and conclusions contained in the special report of the State Engineer and Surveyor on the supply of water from the Genesee river to the Erie canal." This commission inspected the Genesee gorge, and gave a number

of hearings, at which were present gentlemen representing the various interests involved, and after due consideration of the main and cognate questions, reported:

(a) That the project of building a large storage dam on the Genesee river is entirely feasible.

(b) That the control of the waters of the Genesee river resides wholly in the sovereign power of the State, and that hence the State has the right to draw therefrom at its discretion and whenever it chooses any such amount as it may deem necessary for public purposes.

(c) That it is not only practical to determine the maximum quantity which the State may require from the Genesee river for the use of the Erie canal, but that this has been to great extent done in the annual report of the State Engineer and Surveyor for 1890.

(d) That it will be largely to the interest of the State to provide storage on the Genesee river to the amount of 1,500,000,000 cubic feet for canal purposes.

(e) That such storage be provided at Dam Site No. 1, a distance of one and twenty-two one-hundredths miles above Mount Morris.

(f) That the water now taken from the Genesee river for canal purposes is of great value to the State and its loss would be a corresponding deprivation.

As the result of the examination the commission recommended:

(a) That a dam fifty-eight feet in height be erected on the Genesee river at Dam Site No. 1.

(b) That the same be built of sufficient strength in base, sidings, section and vertical rise to allow it to be extended to 100 feet in height.

(c) That it be built with proper gates, and apparatus for drawing off the water from the pond created above it, to any desired water line, and that in seasons when navigation is not in progress this be for the use and benefit of citizens owning or operating plants by means of hydraulic power between said dam and Lake Ontario — along the line of the river — and so as to afford for such uses a continuous and regular flow; and that it be at all

times under the charge and control of the proper officers of the State; that, under such charge, during the season of navigation, like opportunities as may not interfere with the supply demanded by the State may also be afforded said citizens.

(d) That the said citizens may extend the dam to the height of 100 feet, with proper gates and apparatus for drawing down the water line of the pond formed by the said dam to said fifty-eight feet, and shall have the execlusive privilege to do so at all times.

(e) That said vertical rise above the fifty-eight-foot line be constructed with the approval and subject to plans of the proper officers of the State.

(f) That the State be released and indemnified from expense or damage on account of such building above the crest of said fifty-eight-foot dam.

The commission concludes its report with a short discussion of the relations of the State to the owners of hydraulic powers on streams which have been declared public highways.

Having thus briefly defined the present status of the Genesee river storage project we may now proceed to the special work in hand.

The general examinations made in 1890 indicated five available dam sites where large storage can be obtained in the Genesee gorge between Mount Morris and the lower falls of Portage. Four of these have been designated in the 1890 report as Dam Sites Nos. 1 2, 3 and 4. The consensus of opinion of all who have studied the Genesee gorge is that Dam Sites Nos. 3 and 4 are far less desirable than the lower sites by reason of a greatly decreased storage for a given height of dam. All the engineers who have thus far examined the project are agreed on this point. They are also agreed, it is believed, that a given expenditure will yield better results in storage obtained by building a high dam at some one of the lower sites than can be obtained by one, two or three small dams higher up.

In this report the same designations will be given to the dam sites as are used in the 1890 Annual, and for the locations of the several sites from 1 to 4 inclusive, reference may be made to Mr.

1891

1883

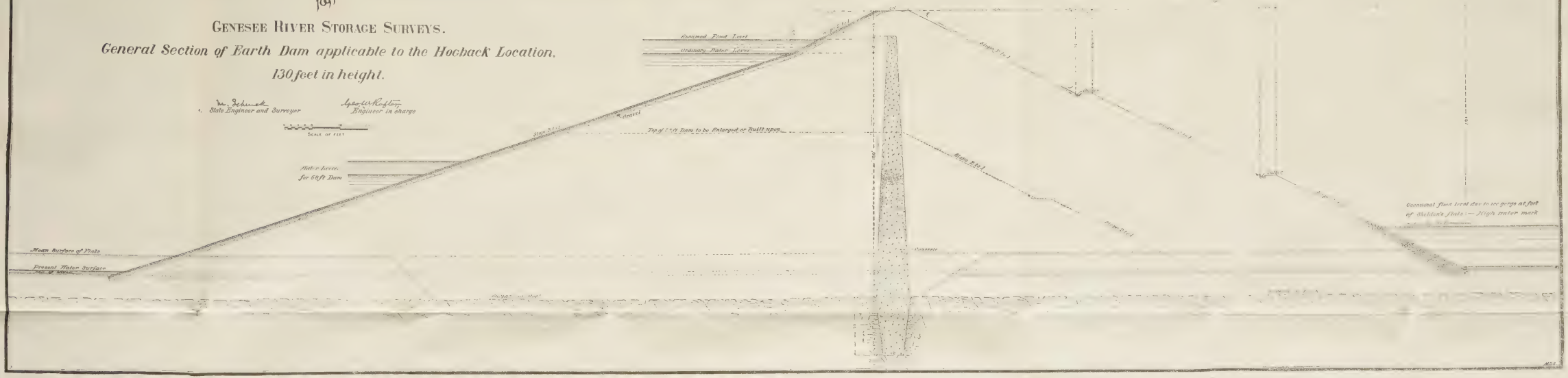
Genesee River Storage Surveys.

General Section of Earth Dam applicable to the Hocback Location.

130 feet in height.

W. Schuyler
State Engineer and Surveyor

Jno. W. Ripley
Engineer in charge


Scale of Feet
Flowage Flood Level
Ordinary Water Level
Slope 2 to 1
Crest
Top of Earth Dam to be Enlarged or Built upon
Slope 2 to 1
Water Levels for 68 ft Dam
Mean Surface of Flats
Present Water Surface
Slope 2 to 1
Slope 2 to 1
Concrete
Occasional flood level due to ice gorge at foot of Sheldon's flats — High water mark

Bailey's map accompanying his report therein contained. The discussion, however, is entirely confined to Dam Sites Nos. 1 and 2 and the Hogback location, which latter has not been discussed in the previous reports.

As preliminary to a thorough study of the problem in hand a detailed topographical map of the territory in the vicinity of the several sites to be compared was imperatively necessary. The making of such a map of the gorge was a matter of severe labor, involving as it did the taking of 120 cross-sections. Many of these are of banks over 300 feet in height and inaccessible except by the use of mechanical means of suspension. Eleven of these extend entirely across from top of high bank to top of high bank, a distance of about twelve to fifteen hundred feet. The detailed map, however, while costing something has fully repaid the expenditure, in that by having it better locations have been made at the several sites than were possible before such a map was at hand. For instance, at Dam Site No. 1, the general location selected in 1890 shows a bottom length of dam of about 650 feet and a length, at the flow line of a 130-foot dam, of 914 feet. The new location made after detailed surveys this year shows a bottom length of 500 feet, and a length at the flow line of 790 feet, the top lengths being measured from natural surface to natural surface in each case. At the price of rubble masonry used in the estimates a single linear foot of structure at this site will cost nearly $2,000. Whence it follows that, other conditions remaining the same, the value of the surveys at this site alone is in the vicinity of $300,000.

At Dam Site No. 2, the bottom length of the new location is about the same as the old; but the top length of the new location is 880 feet at the 130-foot line, as against 972 feet in the old. The greatest gain at Site No. 2 has been in demonstrating by the detailed surveys that for a 130-foot dam an independent spillway can be constructed at that location without very materially increasing the cost over what it would be for a dam arranged with reference to spillway over the front, as is required at Site No. 1.

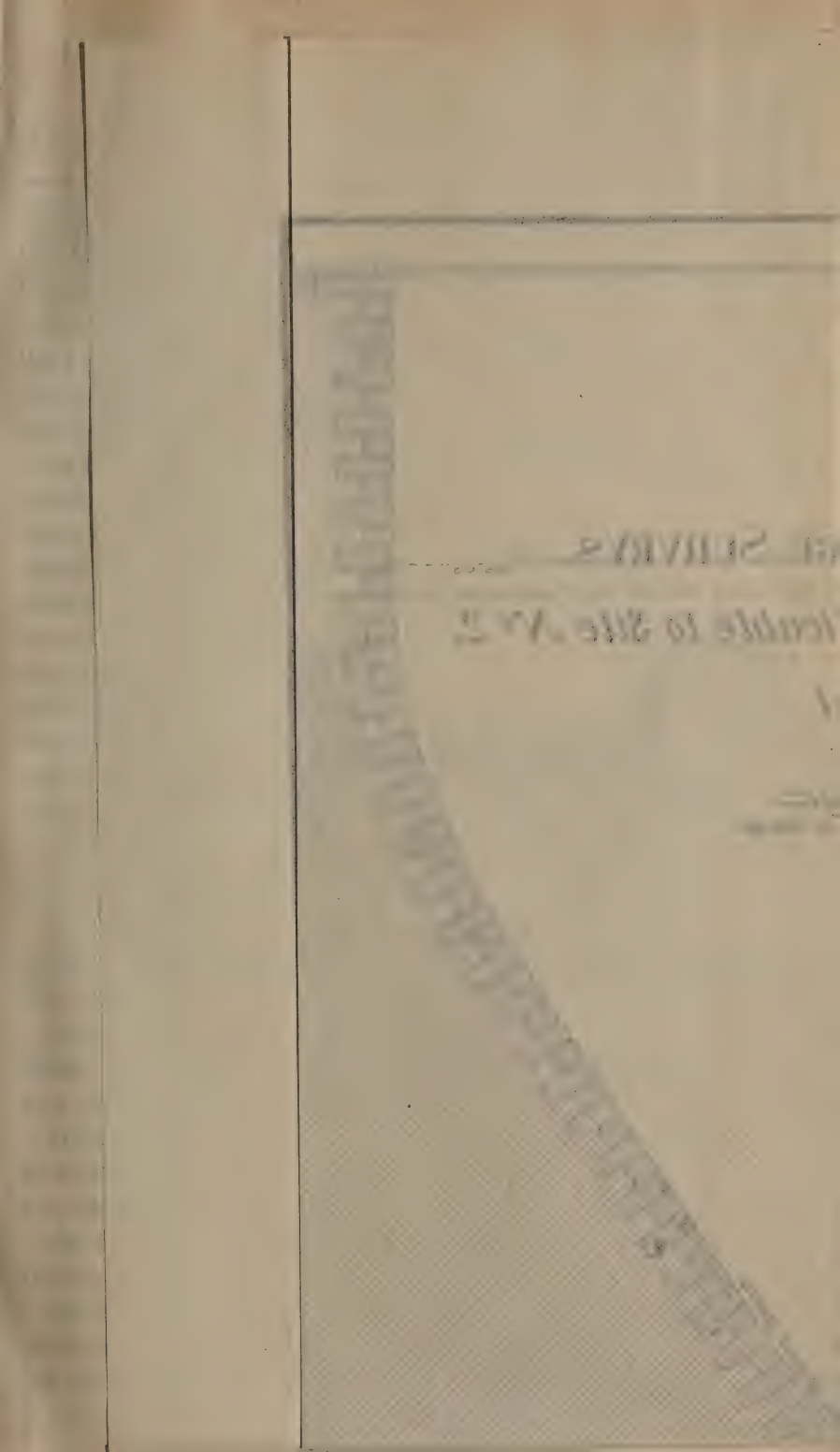
The advantages of an independent spillway are so obvious as to hardly require mentioning, although briefly discussed further on.

The detailed surveys, however, have not been extended to cover the land lines of the submerged area, it being concluded, after discussion of the question with yourself, that the large expenditure required to fully work up the land lines was unnecessary until after the work was actually begun. In any case two or three years will elapse after beginning construction before any area will be actually flooded, and ample time will therefore be afforded for the completion of the land surveys. As regards land immediately in the vicinity of the structure, and which will be required at once for the location of the various works, it is considered that no difficulty will be experienced in making the necessary arrangements.

Another reason for not making the land surveys a part of this year's work was the smallness of the appropriation — there was hardly money enough available to carry on the land surveys, and at the same time complete the thorough examination of the foundations which has been deemed essential in order to prepare reliable estimates of cost.

It may be remarked in passing that much benefit has been derived in the course of the examinations from conversations with the consulting engineer, Hon. E. Sweet. This gentleman visited Mount Morris on Tuesday, October 10, 1893, and spent the time from 11 a. m. to 4 p. m. in viewing the Hogback location, and the tests then in progress at Site No. 2. On November twenty-fourth, Mr. Sweet again visited Mount Morris and looked over Site No. 1, where soundings and borings were at that time in progress. In the afternoon of the same day he examined the cores from a number of bore holes, as preserved in boxes for future reference.

In any structure of the magnitude of the proposed Genesee river storage dam, the adequacy of the foundation is of first importance. An error of judgment as to its sufficiency could easily lead to either largely increased expenditure in the work of construction or even to an entire failure of the project. In order to avoid either contingency such examinations must be made as will exhibit the



1893

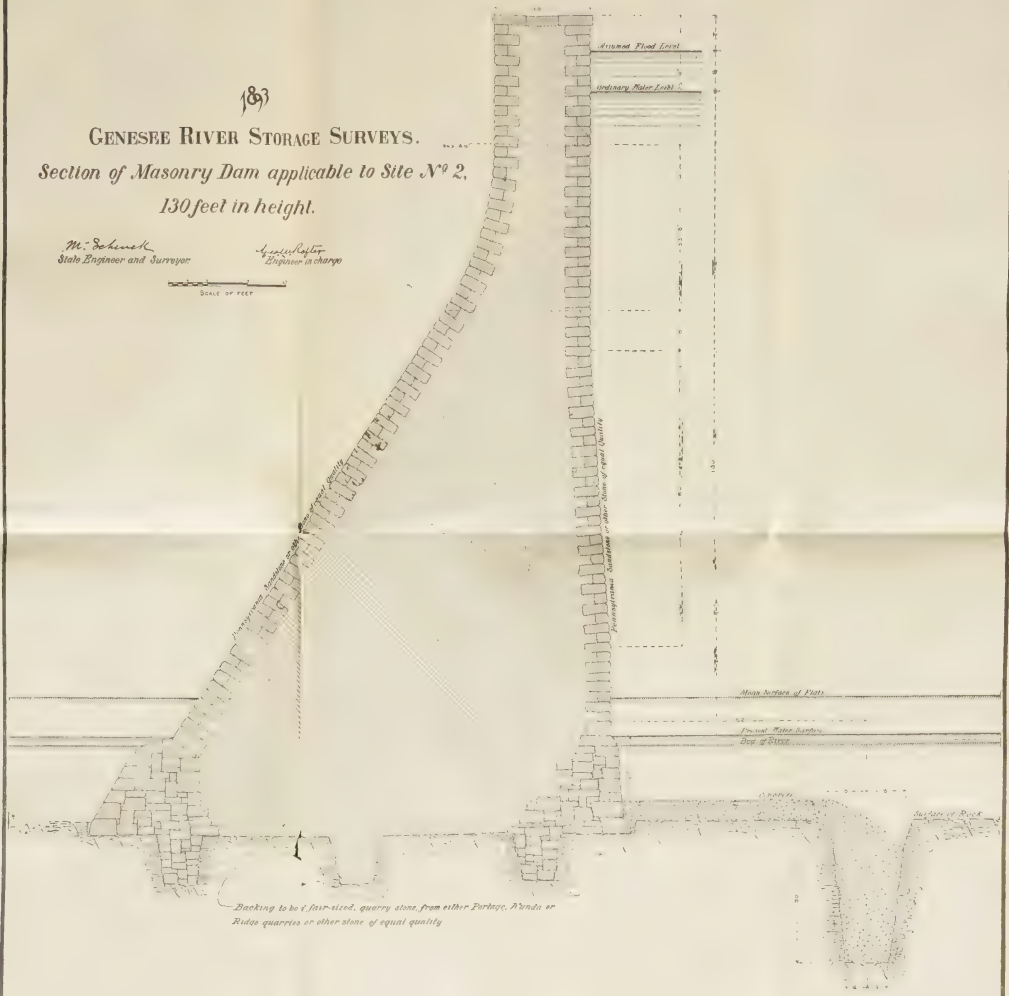
Genesee River Storage Surveys.

Section of Masonry Dam applicable to Site N° 2, 130 feet in height.

M. Schenck
State Engineer and Surveyor

Geo. Rafter
Engineer in charge

Scale of Feet


Annual Flood Level
Ordinary Water Level
Rough Surface of Rock
Normal Water Surface
Base of Dam
Backing to be of fair-sized, quarry stone, from either Portage, Rundo or Ridge quarries or other stone of equal quality

character of the underlying strata in all its details. In the present case a compact shale, known in the nomenclature of the State Geological Survey as the Genesee shale, exists ten to fifteen feet below the bed of the river at the several sites examined and from twenty to twenty-five feet below the surface of the adjacent flats. The general character of this shale has been referred to in the preceding reports and no further notice is required here, and we may proceed, therefore to an account of the detailed tests which have actually been made.

By reason of considerable previous experience in borings, the present writer was of the opinion that more definite information could be obtained by diamond drilling than by any other means. This view having met with your approval, drillmen were corresponded with, and after satisfactory arrangements were perfected an outfit got to work on September eighteenth. At the same time the work of determining the top of the rock by soundings and test pits at a large number of points was actively prosecuted. From September eighteenth to September thirtieth the diamond drill was operated ten hours per day, but from October first to November twenty-eighth, when the work was finally completed, the drill was operated twenty hours each day. The following is the detail of the drill work actually accomplished:

At Dam Site No. 2, from September eighteenth to October twenty-first, thirteen holes were drilled, making a total length of 727.7 feet, and an average length of fifty-six feet.

From October twenty-three to November tenth, nine holes were drilled at the Hogback location, making a total length of 563.9 feet, and an average of 62.7 feet.

From November twelve to twenty-eight, seven holes were drilled at Dam Site No. 1 making a total length at that site of 388.1 feet and an average length of 55.4 feet.

The total number of holes drilled at all the sites was therefore twenty-nine, making a grand total length of 1,679.7 feet.

The top of rock was determined by soundings at seventy-eight points at the three locations studied, the total depth of sounding being 1,256 feet and the average depth 16.1 feet.

In addition to the borings and soundings 100 test pits were sunk to a total depth of 1,217 feet, the average depth being 12.2 feet. A number of the test pits were about thirty feet deep.

The cores taken out by the diamond drill give a satisfactory exhibit of the underlying strata and taken in conjunction with the water pressure test, which were applied to nearly all the drill-holes, indicate with clearness the kind and quantity of treatment necessary to make a safe and stable foundation on these shales.

The water pressure tests may be properly referred to a little in detail.

Obviously it is transcendently important to secure an absolutely water-tight foundation for a high dam. In order to accomplish this it is necessary that the underlying strata be either naturally impervious or that they may be made so by some artificial treatment. When not impervious the necessary special treatment may be an important item of the total expense. The securing of definite information as to the perviousness or imperviousness of the strata became, therefore, an important and indeed indispensable part of the preliminary study. To gain this information seed bags set to different depths in the drill holes were first tried. By means of suitable pipe and flexible hose connections, water under from 100 to 200 pounds pressure per square inch was forced down through the bag and the effect observed. The length of time required for the bag to swell, however, made this method rather cumbersome, and an improvement in method was effected by the use of a rubber packer so arranged that it could be packed tight, instantly, by mechanical arrangements. With such a packer and the flexible connections it was very easy to first set the packer at or near the bottom of each drill hole and, applying the pressure from the pump, examine the hole in detail from bottom to top. A pressure gauge indicated at once any loss of water through seams and crevices, the amount of the loss being, of course, proportional to the decrease in pressure. In some cases where considerable loss occurred the put-

ting in the hole of a few quarts of wheat bran was sufficient to make everything tight.

After going over the drill-holes in detail with this test, if any considerable leaks were found, the pump was then ran for several hours and the effect observed. In order to find out where the water went to several pounds of permanganate of potash, an intense coloring material, were added in a number of cases. This test was, however, entirely without result, other than that the coloring matter forced down into one drill hole appeared and as pressure was applied, ran out at another drill hole 100 feet distant. Asides from some indications of this character absolutely no traces of the coloring matter could be obtained. In a number of cases the effect of pumping for several hours was to gradually increase the back pressure against the pump. In such cases after the pump was disconnected, water ran out of the drill hole for from one-half an hour to two hours, a result clearly indicating the presence of vertical seams at these points. As to whether these vertical seams are likely to prove troublesome, it may be said that none of any considerable size have been discovered and in view of the moderate silt-bearing character of the stream when in flood flow it seems probable that such small ones as exist will soon silt up and become entirely water tight. This process may be made a gradual and perfectly safe one by allowing the water to rise for short periods of flood flow a few times each year during the construction. By intelligent management on these lines the whole reservoir may be made practically impervious by the time it is ready for permanent use.

Proceeding on these lines systematic tests of all but one or two of the drill holes were made and the results recorded. Some of the details will be presented in the final report, but for present purposes it is sufficient to say that the net results of the soundings, borings, test pits and water pressure tests indicate that as a whole a high dam can be built at either of the three locations examined without any serious difficulty — the obstacles to be overcome

are such as may be expected to yield easily to ordinary engineering expedients. As a whole the quality of the rock in the foundations at Dam Sites Nos. 1 and 2, is somewhat better than at the Hogback, while No. 1 may be considered slightly better than No. 2. At all of the locations it appears desirable to extend a concrete trench about thirty feet in the rock and probably it will be well to drill a number of holes in the bottom of the trench excavated for this purpose into which grout will be pumped under pressure. A similar treatment may also be required under a portion of the main foundation as well as at the ends. It is considered that the item "grouting in foundations," in estimates is ample for this work.

The foregoing discussion of the examinations for foundation indicates that the work has been carried on with reference to a masonry construction. In my judgment no other form of construction should be seriously contemplated, although it is recognized that an inclined plane of wrought iron or steel plates with trestle supports is entirely feasible. Such a construction, while probably a small per cent less expensive than masonry, must be considered as lacking somewhat the permanency of well executed stone work. It is possible, moreover, that an iron spillway might be designed for Dam Site No. 1 of somewhat less expense than the granite masonry construction on which the estimates have been based, although it is exceedingly doubtful if any iron construction could be made entirely permanent for such purpose. For these reasons it has been deemed preferable to base all estimates of cost on masonry construction.

In considering the various forms of dams applicable to the several cases under consideration we are confronted with the fact that the flood flows of the Genesee river are very large, and that therefore exceedingly liberal spillway arrangements must be provided. The spillway, moreover, is an important element of total cost, and it is accordingly important that no greater length of spillway be provided than absolutely necessary. The only direct observation bearing on the case is that cited by Mr. Kibbe in his report in the 1890 annual, where is given an actual observa-

1887

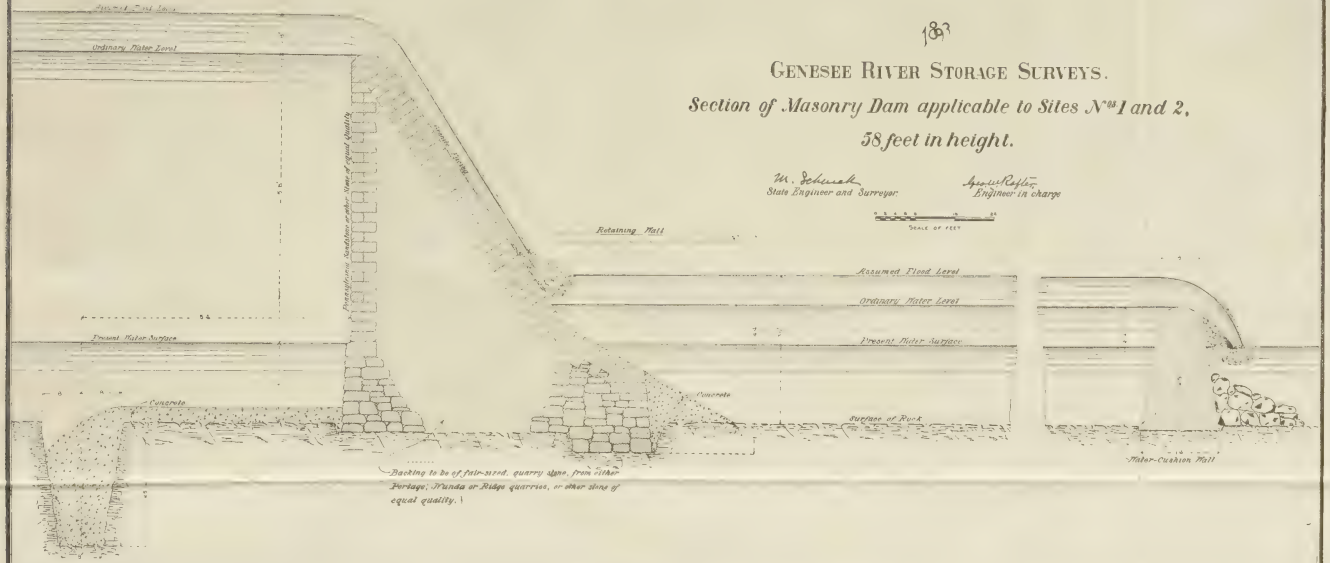
GENESEE RIVER STORAGE SURVEYS.

Section of Masonry Dam applicable to Sites N^os 1 and 2, 58 feet in height.

W. Schenck
State Engineer and Surveyor.

Geo. W. Rafter
Engineer in charge

SCALE OF FEET


Ordinary Water Level
Present Water Surface
Concrete
Retaining Wall
Assumed Flood Level
Ordinary Water Level
Present Water Surface
Concrete
Surface of Rock
Water-Cushion Wall
Backing to be of fair-sized quarry stone, from Silver Portage, Munda or Ridge quarries, or other stone of equal quality.

tion on September 11, 1890, of a mean depth on the crest of the old Mount Morris dam of 6.8 feet. The crest on which this observation was taken is 337 feet in length. The citizens of Mount Morris state that the water frequently stands at an elevation of eight feet on the crest of this dam when the river is in flood flow. The depth of eight feet, however, is more than should be admitted on the crests of high dams and for the present the estimates have been based on a total length of spillway of 400 feet. In the final report an attempt will be made to deduce the proper length of spillway from a consideration of the rainfall in comparison with stream flow, though the data bearing on this part of the subject is unnecessarily scanty. In 1890 Mr. Kibbe established a gage at the old Mount Morris dam, and daily observations of the flow of the stream were taken during the few months covered by his studies. It is exceedingly unfortunate that this series of observations was not continued without intermission until the present time, as, had this been done, we would now be, without doubt, in possession of such data as would permit this part of the problem to be solved on its merits. A gage was again established under my direction in August of this year, but since that time the precipitation has been so small that no flood flows have occurred, the highest being 3.39 feet, on August twenty-ninth. This year's observations are, however, valuable as illustrating how small the flow of the stream may at times be for several months. Arrangements have been made for continuing these gagings during the coming winter and spring, and it is hoped that the spring freshets will furnish some more definite information on this exceedingly important part of our subject than any yet at hand.

As bearing on the economical construction of the work, the proper location of the necessary transportation line is a matter of considerable importance. The commission of 1892 has based its recommendation of location at Site No. 1 largely on the assumed fact that a line of railway only 1.2 miles in length can be constructed up the line of the gorge near the water's edge and connecting with the Western New York and Pennsylvania railway just below the river bridge. An examination of the project in

detail indicates, however, that such a line would be undesirable for the following reasons:

(1) The line, if actually laid on the flats near the water's edge, would require two crossings of the river in order to reach Dam Site No. 1, or four crossings to reach Dam Site No. 2, all of which, with a portion of the embankment would be swept away with the spring floods.

(2) If built in side-hill work, thereby avoiding the river crossings, the expense of grading alone would reach about $20,000 for a line to Dam Site No. 1, or about $35,000 to $40,000 for a line to Dam Site No. 2.

(3) A large amount of space is required at the dam terminal for the proper handling of the material. During the working season about fifty cars per day would be required. The sidings for these together with the necessary sheds, hoisting and mixing machinery, etc., would require far more space than exists on the flats.

(4) The location of the railway in the gorge would necessitate the location therein of the sheds, hoisting and mixing machinery, etc., and their consequent exposure to disaster with each year's flood.

(5) Such a location also involves the lifting of all the material above the foundation with the resulting addition to the expense of from five to ten cents per yard over what it will be if the material can all be taken from the cars to the work by gravity.

(6) The total cost of the work can be decreased somewhat by so locating the transportation as to deliver all material on the top of the high bank where it can all be conveyed from the cars to the work by gravity purely.

The amount of material to be transported for a 130-foot masonry dam is roundly 700,000 net tons. The bulk of this is stone which, with the exception of the small amount of granite required, will all naturally come from some point on the line of the Western New York and Pennsylvania railway to the south of Mount Morris. The proper location of the transportation line is therefore from some point on the Western New York and Pennsylvania

railway, south of Mount Morris, to a point on top of high bank just above the selected location for dam. A line of this character has been located from a point on the railway about one and one-half miles above Tuscarora station to the top of high bank at Dam Site No. 2, a distance of seven and one-half miles. Should Site No. 1 be selected, this line can be readily extended a distance of 4,700 feet along the top of the high bank to that site.

Lack of time has prevented the preparation of any detailed estimates of cost of transportation lines in time for this report, and complete consideration of this part of the subject is necessarily delayed until some later report. For present purposes I have assumed cost of transportation line on the route indicated to Dam Site No. 2 as $45,000. For Site No. 1, we may assume for comparison, the construction of a line on the west side of the river from some point on the Delaware, Lackawanna and Western railway, about two miles west of the Western New York and Pennsylvania junction to a point on the west high bank at Dam Site No. 1, the cost of which has been taken at $25,000. If extended along the top of the high bank to Dam Site No. 2, such a line would cost about $30,000. It is believed, however, that in case Dam Site No. 1 is selected, the longer line will prove the cheaper when all the elements of transportation are taken into account, for the reason that an approach to this site from the west side of the river involves transportation over two independent lines of railway before the branch line is reached, with a total additional distance to the branch line of fourteen miles. My reasons for stating that the longer line will probably in any case prove the cheaper, appear in detail in the comparisons following. In any case it will be noticed that the foregoing statement is based upon the assumption of bringing all the material, except granite, from some point to the south of Mount Morris. On this point it may be stated that the fine sandstones of northern Pennsylvania offer an opportunity to obtain a durable, easily-worked stone at moderate cost. At many places in the northern part of that State these sandstones exist on the surface of the ground in vast quantities in the form of boulders, frequently of

many hundred cubic yards content. On the line of the Western New York and Pennsylvania railway, near Oil City, in particular, such stone are found in sufficient quantity for our purpose directly on the line of the railway, and reliable parties signify their willingness to load them on cars at about two dollars and fifty cents to two dollars and seventy-five cents per cubic yard. The railway has made a rate to either Tuscarora or Mount Morris of eighty cents per net ton. Transportation over the branch line from above Tuscarora, a distance of either seven and one-half or about eight and one-half miles, depending on which site is selected, will not exceed, aside from first cost of line and maintenance, about five cents per net ton. We have, then, as the net cost per cubic yard of these stone on cars at the work, the following:

Cost of quarrying and loading on cars, say	$2 75
Transportation over Western New York and Pennsylvania, two net ton, at 80 cents.....	1 60
Transportation over branch line, two net tons, at 5 cents,	10
Cost on cars at dam	$4 45

These stone will be used for the face of the dam, gate-house, protection and retaining walls, except in the case of Dam Site No. 1, where granite has been provided for the face work of the spillway.

The backing will be obtained either from Portage or Nunda, where stone of good quality for this purpose are found in quantity. On these stone the Western New York and Pennsylvania railway offers the following rates:

Portage to Tuscarora, thirty-five cents per net ton.

Nunda to Tuscarora, thirty cents per net ton.

Portage to Delaware, Lackawanna and Western junction, forty cents per net ton.

Nunda to Delaware, Lackawanna and Western junction, thirty-five cents per net ton.

Stone of the proper size for backing can be quarried and put on cars at either Portage or Nunda at from one dollar to one dollar

and fifty cents per cubic yard. We have then for the cost per cubic yard of these stone on cars at the work, the branch line from above Tuscarora being assumed, the following:

Cost of quarrying at Portage and putting on cars.....	$1 50
Transportation over Western New York and Pennsylvania, two net tons, at 35 cents	70
Transportation over branch line, two net tons, at 5 cents,	10
	$2 30

From Nunda the same stone will cost two dollars and twenty-five cents per cubic yard on cars at the work.

We may now rapidly compare the proposed branch transportation lines, taking into account the transportation of all the stone required for a 130-foot dam at Dam Site No. 2, except the granite, of which only a small amount will be used at this site.

(1.) The branch line from above Tuscarora to top of high bank at Dam Site No. 2:

Eighty thousand cubic yards of Pennsylvania sandstone, Western New York and Pennsylvania railway charge, at $1.60 per cubic yard	$128,000
Cost of transportating same over branch line, at 10 cents per cubic yard	8,000
Two hundred and forty-seven cubic yards Portage stone, over Western New York and Pennsylvania railway, at 70 cents per cubic yard	172,900
Cost of transporting same over branch line, 10 cents per cubic yard	24,700
Original cost of branch line	45,000
Cost of maintenance for six years	9,000
Amount	$387,600

(2.) The branch line, from point on the Delaware, Lackawanna and Western railway, to top of high bank at Dam Site No. 2:

Eighty thousand cubic yards Pennsylvania sandstone, Western New York and Pennsylvania railway charge, at $1.60	$128,000
Cost of transporting same, short haul, over Delaware, Lackawanna and Western railway, at 20 cents per cubic yard	16,000
Cost of transporting same over branch line, at 10 cents per cubic yard	8,000
Two hundred and forty-seven thousand cubic yards Portage stone, Western New York and Pennsylvania railway charge, at 80 cents per cubic yard..	197,600
Cost of transporting same, short haul, over Delaware, Lackawanna and Western, at 20 cents per cubic yard	49,400
Cost of transporting same over branch line, at 10 per cubic yard	24,700
Original cost of branch line	30,000
Cost of maintenance for six years	5,000
Amount	$458,700

It, therefore, appears that there will result an economy of ($458,700 — $387,600) = $71,100 by the construction of the longer line.

(3.) For the case of a line directly up the gorge from a point on the Western New York and Pennsylvania railway near the Genesee river bridge the discussion may take the following form:

As in the cases already discussed it will be assumed that the material be delivered at Dam Site No. 2:

Eighty thousand cubic yards of Pennsylvania- sandstone, Western New York and Pennsylvania railway charge, at $1.60 per cubic yard	$128,000
Cost of transporting same over branch line	8,000
Two hundred and forty-seven thousand cubic yards Portage stone, Western New York and Pennsylsylvania railway charge, at 80 cents per cubic yard,	197,600
Cost of transporting same over branch line	24,700

Original cost of line taken at.....	$35,000
Cost of maintenance for six years	7,500
Contingency on sheds and works located in gorge....	15,000
Average additional cost per cubic yard of 150,000 cubic yards of masonry, on account of being mechanically hoisted into place, at 5 cents per net ton — say 10 cents per cubic yard	15,000
Amount	$430,800

In this case the resulting economy would be ($430,800 — $387,600) $43,200. If Dam Site No. 1 were to be selected the last figure would be reduced by about $20,000 to $25,000, or the resulting economy would be approximately say ($43,200 — $25,000) = $18,200.

In these comparisons the cost of transportation has been taken the same on all the branch lines without reference to length. This has been considered proper in view of constant employment of only one locomotive and train gang in either case. At any rate the advantage of delivery on top of the bank is so great that independent of the clear financial saving the line from the Western New York and Pennsylvania railway above Tuscorara appears superior to any other that can be located. But in making this statement, it will be understood, as assumed, that the material come from Portage, Nunda, Northern Pennsylvania, or some other point to the south of Mount Morris.

The line in question will have grades of between eighty and ninety feet to the line for the first two and a half miles. The balance will not at any place exceed, except for short stretches, about fifty feet.

The proposed line from the Delaware, Lackawanna and Western railway would have about ninety feet to the mile grade for three miles.

The construction of the suggested transportation line will make necessary the temporary occupation of a strip of land seven and one-half or eight and one-half miles in length, depending on

and provision should be made for a temporary occupation of about six or seven years.

The preceding discussion has indicated the probable source of the bulk of the material to be used in the construction of a masonry dam. In addition to what has already been indicated, it may be stated that there is, at Ridge post-office, about three miles from Dam Site No. 2, a quarry of stone of the same general quality as that at Portage and Nunda. As now opened this quarry shows a depth of workable stone of seven to eight feet, but whether it has much greater depth is as yet unknown. The amount of stone required is so large that any quarry selected should have a working depth of at least from fifteen to twenty feet. It was intended to sink a few diamond drill holes at this quarry but the approach of cold weather before the completion of the balance of the work prevented carrying this intention into effect. This quarry is located about one mile from the proposed transportation line from above Tuscarora to top of high bank, and at least 100 feet above said line and, if future developments indicate that it is available, its utilization is in line with the arrangements here suggested. It is also about 150 feet above the top of the high bank at Dam Site No. 2, and the topography is such as to admit of the location of a surface gravity line to that point. In any case the situation of this quarry is such that some expense for pumping or drainage would necessarily be incurred in order to keep it clear from water. At both Portage and Nunda, however, this difficulty does not exist. At both places quarries may be opened in the steep side hill far above the railway track, and material loaded on cars by gravity, whereas at the Ridge quarry the material would necessarily require hoisting on to the cars. The rate of transportation given is so reasonable that it is considered probable, taking everything into account, that the material can be obtained more cheaply from either Portage or Nunda than from Ridge quarry, even though the haul is considerably longer. For the present, however, the actual decision is left open until a more complete analysis can be made. Whichever of the local quarries may be finally selected, the stone the site selected. The most of this is through cultivated farms

1893

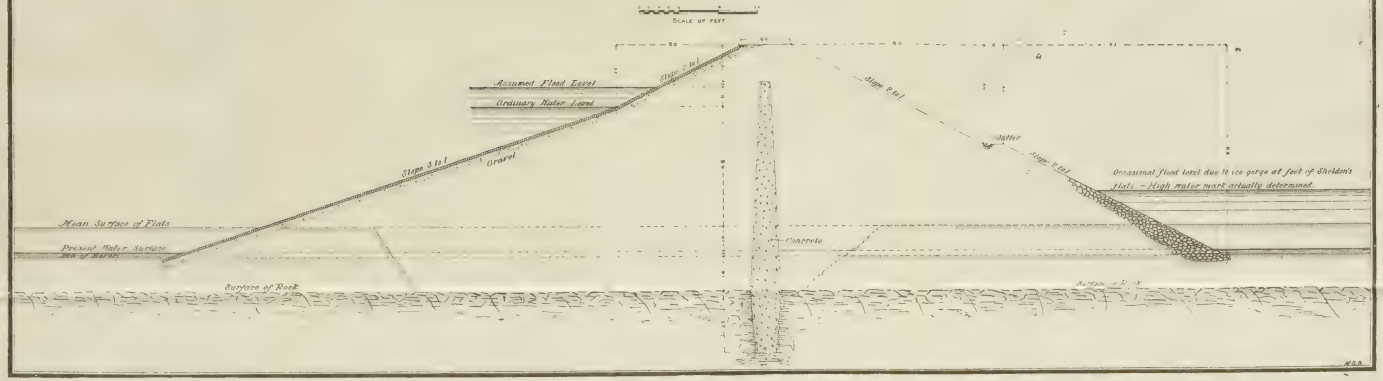
Genesee River Storage Surveys.

General Section of Earth Dam applicable to the Hoeback Location.

78 feet in height.

M. Schenck
State Engineer and Surveyor

Isaac Reifler
Engineer in charge.


Scale of Feet
Assumed Flood Level
Ordinary Water Level
Slope 2 to 1
Slope 3 to 1
Gravel
Slope 2 to 1
Batter
Slope 2 to 1
Occasional flood level due to ice gorge at foot of Sheldon's Flats. – High water mark actually determined.
Mean Surface of Flats
Present Water Surface
Surface of Rock
Concrete

therefrom should be used for backing only. All face work should be either of the Pennsylvania sandstone or some stone of equal grade, and has been so provided in the estimates.

For the forming of the spillway at Dam Site No. 1, granite masonry in large blocks has been estimated. A small amount of granite is also included for the more exposed portions of sluiceways, etc.

The estimates have all been made and the discussion thus far carried on under the assumption that the dam and retaining walls, etc., be composed of a good class of well-laid rubble masonry. A considerable quantity of concrete has been provided for, to be used for making water-tight work in the foundations and at the sides of the gorge, and also for protection of spillway at Dam Site No. 2. It has also been suggested that the whole structure be constructed of concrete. In view of the possible economy resulting from the use of this material on a large scale, an extensive series of experiments with different available raw materials have been carried out. About 180 cubes of one foot have been molded, and after these have attained some age they will be broken by compression and the results noted. In this way it is hoped that some useful information as to the value of concrete from the available local material may be gained. The stones used in these experiments are the Genesee shale, and stone from Ridge, Nunda and Portage quarries. These have been combined in various proportions with Cumming's Buffalo, Newman's Akron, Bang's and Gaynor's Fayetteville, Norton's Rosendale, Millem's Wayland Portland and Saylor's Portland cements. In each case two series of blocks have been made, one of which have been set in water while the other have been left to season in air. A record of all the attendant conditions has been kept, and all the details will be given after the compressive tests have been made, in a later report.

Sand of proper quality for the work can be obtained within one-half mile of Dam Site No. 1, or within about one mile of Dam Site No. 2.

From an engineering point of view the most difficult question involved in these designs is the arrangement of the spillway in such manner as to destroy the mechanical energy of a waterfall 130 feet in height. In the design of a dam for site No. 1, where the conditions are such as to necessitate spilling over the front of the dam, this is partially accomplished by stepping the masonry in the manner shown on the accompanying section. The quantity of water, however, is so great that this will be itself hardly sufficient. Further assistance in this direction will be obtained by the use of a water cushion, whereby the water surface immediately below the dam will be permanently raised to sixteen feet above the present ordinary water surface of the old Mount Morris dam. It is proposed to locate the subsidiary dam, producing this effect, just above the Mount Morris bridge, the advantage of this location being, the creating of an additional water power at Mount Morris of sixteen feet over and above the present power, or a total head there of thirty-four feet. The water cushion wall can be as cheaply constructed there as at any other point.

The detailed surveys show that for a dam 130 feet in height an independent spillway can be constructed at Dam Site No. 2 with only moderate increase of expense over that of a dam at Site No. 1. The advantages of such a spillway are so great it would appear desirable in case it is concluded to build an all-masonry dam of that height to select Site No. 2, even though the selection entailed somewhat greater first cost, as well as some reduction of storage capacity when compared with Site No. 1.

In regard to the use of a tunnel for discharging the flood flow at either of the proposed sites, it may be stated that such a tunnel if placed at a high elevation, would require to be of very large section — for instance, with its center of discharge only thirty feet below the ordinary water surface of the reservoir, it would require, for a discharge of 25,000 cubic feet per second, a diameter of forty feet. The velocity of flow in such a tunnel would be about twenty linear feet per second, and water flowing at this velocity would be ejected from the mouth of the tunnel at an elevation of 100 feet above the present water surface below the

A General View of Dam Site No. 1, Looking Down the River.

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dam. The erosive action of a cylinder of water forty feet in diameter falling 100 feet would be so great as to render artificial protection of the shale bottom imperatively necessary. An efficient protection of the bottom could probably be made as cheaply and efficiently by the water cushion as by any other method.

Again, in case the tunnel were constructed at such lower level as to admit of 130-feet head a great reduction of diameter would of course, result. The velocity of flow through such a low level tunnel would, however, be over 100 lineal feet per second as against about twenty feet for the assumed high level tunnel. A velocity of efflux of over 100 lineal feet per second of a large cylinder of water would, however, require, in order to counteract its erosive tendency, work of the most expensive character, and it is exceedingly doubtful if any gain in economy would result from its use.

Moreover, any possible tunnel, placed below ordinary water level, would be subject to obstruction from ice, and were this to happen the consequent inevitable overflow at the top would be the source of the greatest danger to the structure.

In regard to an all-masonry dam at Site No. 1, it should be remarked that there may always be a possible element of danger in any structure, however solidly constructed, over the face of which spills a stream of the magnitude of the Genesee when in the freshet stage. An examination of the plans of a large number of high dams indicates that usually such provision of length of spillway has been made as will give much less maximum depth than would occur on the crest of the dam proposed for Site No. 1. In the case of the new Croton dam at Cornell's the drainage area above the dam is 340 square miles; in order to care for the flood flows from this area a spillway 1,020 feet in length has been provided. The cross-section of this spillway is quite similar to that designed for the proposed masonry dam at Site No. 1.

The Croton engineers do not consider it safe to provide for less than 150 cubic feet per second per square mile as the possible maximum flood flow, and while this provision is probably some-

what larger than necessary in the case of the Genesee it is still important to note that this extreme provision gives a maximum depth on the spillway of only 6.6 feet. The ordinary Croton river floods do not much exceed one-half of this quantity, and it is improbable that the maximum will occur more than twice in a century. In deciding which project to select, difference in cost can properly take, therefore, only relative prominence. The absolute safety and durability of the structures compared should be given due consideration.

The foregoing illustrations, without exhausting the subject, will serve to show the importance of giving the matter of spillway the most thorough consideration before beginning any construction. They also serve to show the vast economic importance of detailed observations as to the flood flow of the stream.

Reference has been made to the Hogback location, a clear idea of which may be obtained from the detailed topographical map prepared to accompany this report. This location combines the advantage not only of permitting the construction of a spillway entirely independent of the artificial dam, but of constructing the necessary regulating works by tunnel through the Hogback also independent of the artificial dam. The gap to be closed at this location is about 700 feet across the bottom, and it has been considered, in view of the opportunity afforded for independent spillway and regulating works, that an earth structure with concrete core would answer every purpose for the main dam. The preliminary studies, while not very complete, indicate that there would be some economy in such a construction at this location, although an all-masonry dam could not be made here with any economy over the other sites. The Hogback location may, therefore, be considered worthy of some further special consideration. This location has not been considered in the previous reports for the reason that in the absence of detailed surveys the engineers have felt some doubt as to the strength of the Hogback itself to support the pressure of high heads of water. A study of the cross-sections indicates that this particular objection need have no special weight. Moreover, the excavation for the independent

spillway, when properly located, would furnish a large amount of surplus material, which could be usefully employed in strengthening up the weaker sections. With this understanding it may be stated that the Hogback is strong enough to support water pressure up to a height of 130 feet. Beyond that height the natural dam could hardly be made to answer.

In order to test the water-holding qualities of the shale material composing the Hogback, a horizontal hole ninety-five feet in depth was drilled at the foot, and a water pressure test applied. Beyond a depth of forty feet a pressure of from 130 to 150 pounds per square inch was maintained for an hour. On continuing the pumping the pressure gradually dropped in two hours and fifteen minutes to forty pounds, thereby indicating the opening up of a number of small passages through the shale. The minuteness of these passages was demonstrated by forcing in a few quarts of wheat bran, when, on resuming pumping, the gage showed 100 pounds. The conclusion was reached, therefore, the same as at the other locations, that by allowing the reservoir to fill for a few times before being actually put in service, at the period of flood flow, the minute crevices which gradually opened up under a pressure of 150 pounds per square inch of clear water, would gradually close up under a pressure not exceeding sixty pounds of water carrying more or less silt.

The question of how to care for the flood flow of the stream during construction is important, not only from an economic point of view, but as bearing on the form of construction to be adopted. After a study of all the attendant conditions it appears that for an all-masonry dam the best plan will be to first build the foundation above the present river bottom, and at that level start a series of arched openings extending far enough across the bottom of the valley to certainly afford the space required to pass the annual flood flow. These openings will be left open during the entire period of construction, the dam being carried to its full height above the arches before the openings are closed. If considered desirable these openings could be left for a year after completing the upper part of the dam, in that way avoid-

ing all danger of unduly straining the masonry of the upper portion before the mortar has attained some age. At the proper time, and during the low water season, the flow of the stream can be diverted through the permanent regulating sluices, and these arched openings closed one at a time by building in with rubble masonry. This plan takes care of the flood flow at all stages of the work, except while putting in the foundation below the river bed. For this portion there is no way except to turn the stream to one side of the valley while the other side is being put in, and so far as necessary use a flume for conveying the small summer flow across the excavation. If serious freshets come during the progress of this work, there is apparently no way except to allow the foundation trenhces and works to be flooded. While some damage may be done it will be of such a nature that when low water comes again, as it will, in a few days, the damage can be easily repaired. How much of such interruption there will be in the early stages of the work is the one unknown factor of the estimates. A knowledge of the regimen of the stream is, however, reassuring, and leads to the conclusion that if ordinary prudence is used in the preparation of coffer dams and flumes the interruptions from this cause may not prove serious.

In making the preceding suggestions as to method of caring for flood flow during construction it is recognized that ice may at times prove a source of trouble. To guard against danger of disaster from this cause, it is proposed to leave enough of these openings so that with a small head their dischargeing capacity is far in excess of the maximum flood flow. With such provision it is improbable to suppose that all would become obstructed at any one time.

The method of caring for the flood flow described in the preceding paragraph is not applicable to an earth dam at the Hogback location where the regulating tunnels through the Hogback would be necessarily utilized for this purpose. The possibility of these tunnels becoming at any time clogged with ice and the consequent partial or complete destruction of the partially completed work

A General View of Dam Site No. 2, Looking Down the River.

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constitutes a practical objection to this location for which thus far no adequate solution has been found.

As to the length of time required to complete the work, it may be stated that after reviewing the work actually accomplished on a large number of high dams it is concluded that for an all-masonry dam the work will necessarily occupy at least five years. The working season will be limited to the seven months from May to November, inclusive, in which there are 180 working days. The total amount of masonry, including the concrete at Dam Site No. 2 is estimated at 327,000 cubic yards. To complete the work in five years will require an average of 65,400 cubic yards per year, or an average of 363 cubic yards for every working day. The working space is so limited it is doubtful if this average could under any circumstances be exceeded. In case the work were too much interrupted by high water during the first two years, the work would probably necessarily extend over six years. Is evident, therefore, that arrangements for occupancy of land, etc., should be made with reference to the foregoing facts. An earth dam at the Hogback location can probably be completed in three years.

The objection to this reservoir has been raised that the Genesee river when in flood flow is a silt-bearing stream and that in consequence any reservoir constructed thereon will rapidly fill up. On this point it may be said that all reservoirs on silt-bearing streams do fill up. So far as casual observation goes, it appears that the Genesee is not bad in this particular, although some deposit, from year to year, may be reasonably expected. The only remedies thus far found efficient are either to construct a silt-dam near the head of the reservoir or to leave large scouring sluices in the dam to be opened each year during the period of flood flow. This latter remedy, however, is only effectual in scouring out the deposited silt in the vicinity of the dam itself. It is entirely without effect on silt already deposited in the upper reaches of the reservoir. In order to be able to use this remedy occasionally it may be desirable to leave a number of the arched openings already described as essential for care of

flood flow during construction. These may be closed with timbers at the upper end, and so arranged as to be removable when required. On the other hand, if, in the course of twenty-five to fifty years, the reservoir is found to be silting up to any considerable amount a cheap form of silt dam may be constructed at the upper end. As this fills up in the course of fifty to 100 years more, it may be built higher.

In any case enough has been said to show that the silt difficulty is not a serious one on the Genesee river.

At the present time, in view of the imperative necessity for getting out a preliminary report, before the beginning of the 1894 session of the Legislature, it has not seemed desirable to further delay the work in order to construct sections and prepare comparative estimates for a 100-foot dam. By reason, however, of the strong recommendation by the Commission of 1892, that a 100-foot dam be built; it is recognized that the project of a 100-foot dam should receive some consideration in the present work, and the necessary estimates and comparisons will accordingly be presented in the final report. In the meantime it may be stated that the studies thus far made indicate: (1) That by reason of the necessity for using a water-cushion at either sites Nos. 1 or 2, which will cost the same in either case; and (2) the assumed necessity for an independent spillway, if it can be possibly obtained; and (3) the increased cost of the independent spillway for a 100-foot dam, over that for a 130-foot dam, the actual financial advantage of the 100-foot dam is much less than would appear from a cursory study only. Moreover, the gain in storage between 100 feet and 130 feet is about equal to the gain between fifty-eight and 100 feet. Hence, the construction of the dam to the height of 130 feet, gives about double the storage, over and above that gained by the fifty-eight-foot dam, that will result from the construction of a dam to the height of 100 feet. The cost of a 130-foot dam is not double that of a 100-foot dam. If then the storage has any commercial value, and it can be shown that the additional amount

Sounding and Drilling Operations at Dam Site No. 2.

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Another View at Dam Site No. 2.

gained, will be utilized in the immediate or near future, it follows that the 130-foot dam is preferable to the 100-foot.

If, for any reason, it should be deemed desirable to build a fifty-eight-foot dam, without intention of enlarging or building upon in the future, then it is suggested that such a dam be located at either Dam Site 3 or 4, or even some possible site higher up; this policy would leave the lower sites, which are especially available for high dams, storing large quantities of water, available when required for future use.

In view of the probable vast future development of both the transportation and industrial interests of the State, it is the fixed opinion of the present writer that absolutely nothing should be done in the way of a temporizing policy which will, in any way, interfere with the ultimate development of the storage capabilities of this magnificient stream to its approximate full capacity.

The following, are the footings of the several estimates:

At Dam Site No. 1, a masonry dam fifty-eight feet in height, without intention of building or enlarging upon, is estimated to cost $1,200,000.

At the same site a masonry dam, fifty-eight feet in height, but designed of such section as to admit of extension to 130 feet, is estimated to cost $2,234,000.

The cost of completing such a masonry dam between the heights of fifty-eight feet and 130 feet, is estimated at $997,000.

The final cost of the completed masonry dam, 130 feet in height, would, therefore, be ($2,234,000 + $997,000) = $3,231,000.

If the 130-foot masonry dam were to be built all at one time — continuously — it is estimated to cost $3,152,000.

The difference between $3,231,000 and $3,152,000, of $79,000, representing the expense of providing temporary protection to spillway, temporary gate-house, cost of removal of same and other miscellaneous items of additional expense of like nature.

The foregoing estimates applying to Dam Site No. 1, provide for a granite-faced spillway 400 feet in length, with water cushion in every case.

At Dam Site No. 2, a masonry dam fifty-eight feet in height, without intention of building or enlarging upon, is estimated to cost $1,269,000.

This estimate includes the expense of a water cushion.

At the same site a masonry dam fifty-eight feet in height, but designed of such section as to admit of extension to 130 feet, is estimated to cost $1,989,000.

There is no practicable way to provide for the flood flow over a fifty-eight-foot masonry dam at this point, except by spillway directly over the front, the same as at Dam Site No. 1. In the case of a dam built to the height of fifty-eight feet temporarily, but designed to be ultimately extended to the height of 130 feet, it is considered that the flow could be allowed to go over the face of the ordinary masonry for a few years, and accordingly granite masonry in front of the dam has not been provided, for the reason that when finally raised to the full height of 130 feet the independent spillway would come into play. The water cushion, however, would be indispensable during the time of flow over the fifty-eight-foot base, and its cost is, therefore, included in the foregoing estimate.

The cost of completing such a masonry dam between the height of fifty-eight feet and 130 feet is estimated at $1,408,000.

The final cost of the completed masonry dam, 130 feet in height, at Dam Site No. 2, would, therefore, be ($1,989,000 + $1,408,000) = $3,397,000.

If the 130-foot masonry dam were to be built all at one time — continuously — it is estimated to cost $3,120,000, without a water cushion, or $3,338,000 with. The reasons for the small increase in total cost, where built piecemeal, are the same as those already cited in the case of Site No. 1.

Owing to the large amount of labor required to complete these several estimates within the time available, the present writer has not been able to give the project of an earth dam at the Hogback other than very cursory attention. In order, however, that the approximate cost of dams at this site might be included in this report for purposes of comparison, Mr. C. L. Johnson, Deputy

Diamond Drill Sinking Horizontal Hole at Dam Site No. 2.

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State Engineer and Surveyor, kindly undertook to prepare the series of estimates for earth dams, the footings of which herewith appear.

An earth dam fifty-eight feet high at the Hogback location, without intention of building or enlarging upon, with independent spillway and regulating works by tunnel through the Hogback, is estimated to cost $850,000.

An earth dam at the same site 130 feet in height, with independent spillway and regulating works by tunnel through the Hogback, is estimated to cost $2,100,000.

An earth dam at the same site, fifty-eight feet in height, but designed of such section as to admit of extension to 130 feet, is estimated to cost $1,400,000.

The cost of completing such an earth dam between the heights of fifty-eight feet and 130 feet is estimated to cost $1,050,000.

The final cost of the completed earth dam 130 feet in height at the Hogback location, if built in piecemeal, would therefore be, according to Mr. Johnson's estimate ($1,400,000 + $1,050,000) = $2,450,000.

In all of these earth dams a concrete core carried to a depth in the rock of thirty and thirty-five feet, respectively, is provided for.

In regard to the foregoing estimates, it must be understood that the sections on which they are based, as well as the estimates themselves, have been mostly prepared during the last fifteen days. During the progress of the field work the amount of detail of the various examinations made was so great as to leave little time for close work on plans and estimates. It is needless to remark that a complete report on a project of this magnitude can not be made in fifteen days. At least ninety days' additional time will be required, at the end of which period a final report more nearly worthy of the project can probably be submitted. In the meantime it will be understood that all conclusions and estimates herein contained are subject to a final revision. The detail of the estimates will be given in the final report.

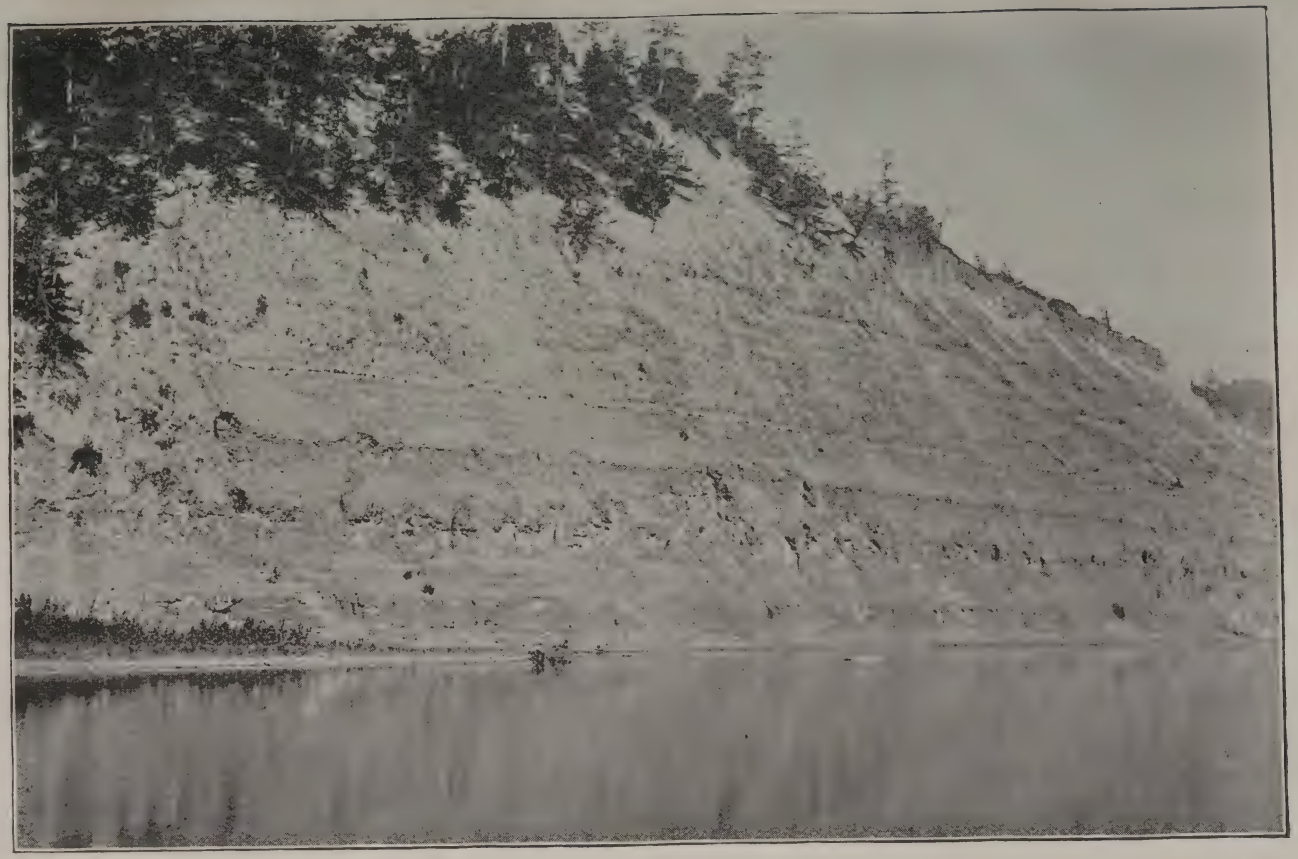
Again, the various sections of dams applicable to the several sites herewith submitted, may also be considered, in some particu-

lars, as tentative only. This remark especially applies to the top finish, where in the final designs some form of inexpensive architectural ornamentation may be properly applied. At the same time it may be stated that the substantial copings with which the walls are surmounted in the present sections are in every particular a proper finish for an engineering structure of this magnitude; but, if in the preparation of final plans, it should be deemed proper to add any purely architectural features, such decoration could be added without any material increase of cost over that required for the substantial coping alone.

The other possible slight modifications of the sections will not be of such a nature as to materially affect the cost.

Very respectfully.

GEO. W. RAFTER,
Engineer in Charge.



West End of Hogback

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APPENDIX H.

ALBANY, N. Y., *December* 23, 1893.

Hon. MARTIN SCHENCK, *State Engineer and Surveyor:*

Sir.—Having at your request twice visited the gorge of the Genesee river above Mt. Morris and inspected the various sites suitable for the erection of a dam to impound the freshet water of that river, and given some attention to the collection of engineering data, relative to a proper selection of site and a determination of the probable cost of accomplishing a comprehensive plan for storage of these waters, I beg leave to offer such suggestions as the hastily collected results of the very thorough surveys, borings and explorations which you have just finished there present to my mind.

The preliminary surveys and studies of this subject made by your predecessor in office give a very clear and comprehensive idea of the general scope and limitations of the project of regulating the flow of this stream.

These studies and surveys as outlined in the appendices to his report to the Legislature in 1890 show the storage capacity to be created in this gorge by the erection of dams of varying heights, and the probable increase in outflow they would severally be expected to produce from rainfall and run-off tables prepared from statistics gathered in the Genesee watershed.

This report also treats exhaustively the question of the present wants of the canal, and shows clearly the need of 1,500,000,000 cubic feet of water to be stored on this stream to properly and safely operate the canal in its present state, which, of course, fixes the lowest limit of storage which the State's interest requires and the future wants of the canal, as well as the vast interests of the large population affected by the regulation of this stream, make a much larger volume of storage desirable.

These preliminary surveys give the capacity of the storage basin to a height of 130 feet above the stream bed at the two proposed sites for dams near Mount Morris, and I think you have wisely made your detailed surveys and exploration of sites broad enough to cover accurate data for estimating the difficulties and the cost of constructing dams to store water to that or any lower height and confined them to the two first sites described by Mr. Bogart and the one immediately above his second location at the sharp bend, known as the "Hogback."

The fifty-eight foot reservoir affords very slight relief to the stream flow, as it must be held full for canal contingencies, while the 130-feet reservoir increases many times the natural flow of the stream and gives nearly seventy-five per cent of the beneficial effects of a completely developed regulation of its flow, which latter is not reasonably practical.

Estimates have been prepared for erecting dams at each of these sites on the following bases: First, the cost of a dam fifty-eight feet high, with proper regulating apparatus for permanently holding water to that elevation only; second, the cost of a fifty-eight feet dam, so founded and built as to be capable of being raised to store water to a depth of 130 feet; third, the cost of subsequently raising the dam from the fifty-eight feet level to that of 130 feet, and, fourth, the cost of building at once a dam 130 feet high.

A careful consideration of the quantities and value of the various items of work involved in the utilization of these various sites leads me to believe that a reservoir with suitable fifty-eight feet dam, can be built on the first basis of estimation above described, at location No. 1, for $1,200,000; at location No. 2, for $1,300,000; at the "Hogback," for $850,000. On the second basis of estimation, fifty-eight feet reservoir, at location No. 1, $2,250,000; at location No. 2, $2,000,000; at "Hogback," $1,400,000. To raise the latter to 130 feet will cost, at location No. 1, $1,000,000; at location No. 2, $1,400,000; at "Hogback," $1,100,000. To build at once a dam 130 feet high, will cost, at location No. 1, $3,150,000; at location No. 2, $3,350,000; at "Hogback," $2,100,000.

General View of Plant as Used at the Hogback.

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Of the three sites, location No. 1 gives nearly ten per cent the greater storage capacity, at about ten per cent less cost than location No. 2.

The advantage of site No. 2 is, that it affords an opportunity, and the estimate provides, for a spillway cut through the rock, independent from the dam itself, but I do not consider this a sufficient ground for disregarding the greater storage and greater economy afforded by site No. 1.

I am favorably impressed by the conditions developed by the surveys and borings at the "Hogback" location. This anomalous topographic feature, consisting of a rock ledge, extending nearly 2,000 feet at right angles to the axis of the stream, lends itself admirably to the location of a spillway and regulating works, while the gorge opposite its extremity is very little wider than at site No. 2.

The estimates presented for this location assume a dam built of earth, with a masonry core.

This is a very high embankment, but it must be remembered that its location is peculiarly fortunate for such a construction, as the long sharp bend in which it will stand protects it from the waves, while the artificial spillway diverts the channel and the current a thousand feet from its extremity.

It is a far less bold construction than the earthen part of the new Croton dam now building by the city of New York.

For the fifty-eight feet reservoir its superiority is undoubted, and I believe it worthy of very mature consideration for the higher elevation.

Among the considerations affecting the proper attitude of the State towards this project, the equitable rights of the riparian owners on the stream seem to my mind of great importance.

The Genesee is a stream characterized by steep slopes from which the rainfall rapidly runs off, and though it has a large watershed the water runs off in freshets, leaving a small and unreliable summer flow.

It thus follows that, though the river falls more than 200 feet in the large manufacturing city of Rochester, its intermittent flow renders the water power comparatively useless.

The only remedy for this is the regulation of the flow by storage, and, as the State long ago appropriated the waters of the Genesee, private enterprise is unable to protect these great interests because its equitable rights are in the grasp of the sovereign.

The Legislature has, however, recognized riparian equities in the case of the Black river, by creating reservoirs on the Moose and Beaver rivers, from which the canal could by no possibility receive water, for the express purpose of indemnifying the mill owners on the Black river for water diverted from that source to the canals.

There seems a still stronger reason why it should favor storage in the Genesee valley, a large part of which is now needed and much more likely to be required in the future for its own purposes.

Very respectfully,

(Signed.) E. SWEET.

APPENDIX I.

DEPARTMENT OF THE INTERIOR,
UNITED STATES GEOLOGICAL SURVEY,
DIVISION OF GEOGRAPHY,
WASHINGTON, D. C., *December* 8, 1893.

Hon. MARTIN SCHENCK,

State Engineer and Surveyor, Albany, N. Y.

Sir.—I have the honor to present herewith a statement of the progress of field work on the topographic map of the State of New York, made during the field season of 1893. This is necessarily a preliminary report of the work executed under the direction of this survey, in co-operation with your department. The final report of the progress made during the season included between May, 1893, and May, 1894, can only be made at the latter date, when all the results of the field work have been completed and mapped in office.

This is practically the first year of actual co-operation between the State of New York and the United States Geological Survey. In 1892 this office received $3,000 from your department, to be used in connection with the topographic survey of the State, then carried on by the geological survey. The bulk of this money was expended in perfecting the methods of delineating town and county boundary lines on the atlas sheets already published.

The topographic survey being made by us is executed in the field on a scale of 1: 45000, approximately one and one-third inches to the mile, and is redrawn and engraved in the office on a scale of 1 : 62500, approximately one inch to the mile, and with a contour interval of twenty feet. In order that this work shall be published in sheets of convenient size, the map is divided

into atlas sheets, the boundaries of which are determined by each fifteen minutes of latitude and longitude. The approximate area of these sheets is between 215 and 225 square miles, according to the latitude. For convenience in identification, names are given to these sheets which are derived from the most important town or natural object situated within their borders.

Field work on the basis of co-operation arranged between yourself and the director of this survey was inaugurated on the 1st of May, 1893, and has been uninterruptedly prosecuted to the end of November. The total area mapped during the year was 4,980 square miles, exclusive of all inland waters. Including inland waters between headlands on the various atlas sheets, among the larger of which are portions of Oneida lake, Lake Ontario, and Lake Champlain, the total area mapped during the year was 5,230 square miles. The cost of mapping the actual land surveyed, 4,980 square miles, including salaries, field expenses and transportation for all the men employed directly on the topographical work, was $32,000. This amount covers the cost of the working season alone, and the average cost of this field work was, therefore, six dollars and forty-two cents per square mile mapped. If to this amount be added the salaries of the men engaged during the winter months in plotting up the final map, as well as the expenses of supervision for the field year from May 1, 1893, to April 30, 1894, the total cost of mapping 5,230 square miles, as published on the atlas sheets, will be about $52,700, which is at a rate of ten dollars and seven cents per square mile, as published. It should be understood that as much of this sum only as does not exceed $24,000 has been paid by the State.

Nine main parties have been engaged on this work during the entire field season. These parties were under the immediate direction of the following topographers: Messrs. E. C. Barnard, Frank Sutton, J. H. Jennings, W. H. Lovell, R. D. Cummin, R. H. Chapman, E. B. Clark, G. E. Hyde, and W. M. Beaman. In addition to these main parties, Mr. Robert Muldrow was engaged

on this work for a portion of the season, while Mr. S. S. Gannett was in charge of a party employed throughout the season on expanding primary triangulation.

The party under Mr. Barnard was engaged in mapping the country adjacent to and lying along Lake Champlain from Plattsburgh to Rouses Point, and eastward through Clinton county for some distance beyond Mooers Forks. This party mapped 580 square miles, at an average cost of nine dollars and seventy cents per square mile, including estimated office expenses.

The party under Mr. Sutton mapped the western portions of Erie and Niagara counties, including Niagara Falls and Fort Niagara; and the neighborhood of Rochester, Monroe county. In all 724 square miles were mapped by this party, at an average cost of six dollars and twenty cents per square mile.

The party under Mr. Jennings mapped portions of Onondaga, Madison and Oneida counties, between Syracuse and Utica. In all this party mapped 860 square miles, at an average cost of five dollars and sixteen cents per square mile.

The party under Mr. Lovell mapped portions of Jefferson county, between Pulaski, Watertown and Cape Vincent; in all 660 square miles, at an average cost of five dollars and twenty cents per square mile.

The party under Mr. Gummin mapped portions of Chemung and Tompkins counties, between Elmira and Ithaca, and a small portion of Montgomery county near Fonda; in all 610 square miles, at an average cost of seven dollars and seventy cents per square mile.

The party under Mr. Chapman mapped 325 square miles in the Adirondack region, between Lake Placid, Elizabethtown and Keeseville, at an average cost of thirteen dollars and forty-seven cents per square mile.

The party under Mr. Clark mapped 280 square miles in Montgomery county, between Amsterdam and Fonda, at an average cost of ten dollars and twenty-eight cents per square mile.

The party under Mr. Hyde mapped portions of Washington county, between Salem, Whitehall and Putnam; in all 580 square

miles, at an average cost of eight dollars and seventeen cents per square mile.

The party under Mr. Beaman mapped portions of Columbia and Dutchess counties, between Hudson, Saugerties, Rhinebeck and Hyde Park; in all 445 square miles, at an average cost of twelve dollars and thirty-one cents per square mile.

The party under Mr. Muldrow mapped 110 square miles in Essex county, at an average cost of six dollars per square mile.

The primary triangulation party, under the charge of Mr. Gannett, completed the occupation and determined the geodetic positions of thirty-five mountain peaks, thus furnishing primary control for the future mapping of 2,130 square miles, covering portions of eleven atlas sheets. The average cost of this work was one dollar and forty cents per square mile controlled.

The average rate of mapping the State during the past field season was four and six-tenths square miles per party per day. In the prosecution of the season's work, 7,200 separate points, such as hill peaks, churches, or other prominent objects, were located exactly by triangulation, and 10,880 miles of road were traversed. This amount of instrumental work gives an average mathematical control of one and four-tenths points and two and one-tenth lineal miles of traversed lines per square mile surveyed, or per square inch of map. The elevations of 66,560 separate points were determined with accuracy upon the area mapped, giving the vertical positions of thirteen points per square mile surveyed or per square inch of map.

From a perusal of the above detailed figures, it will be seen that there is a large range in the cost of this work, depending chiefly upon the character of the topography. Thus, in the wooded and uninhabited portion of the Adirondack region, the cost is greater. This work is next most expensive among the glacial hills of the Hudson river valley, and it is least expensive in the cultivated flatlands in the northwestern portion of the State. The estimate made to you at the beginning of the year that this cost would average ten dollars per square mile, of which the State was to bear half, or five dollars per square mile, is adhered to quite closely, and in

view of the experience of this first season of co-operation, it is believed that the entire State can be mapped at the cost and in the time first stated by me to you. The total area of the State is nearly 50,000 square miles. Of this, about 10,000 square miles have already been mapped, leaving 40,000 square miles still to be mapped. If the Legislature continues the same appropriation as was made last year, namely, $25,000 per year, for eight years more, I feel confident that the State will then be in possession of an accurate map of its entire area.

Prior to the inauguration of co-operation between the State and the Geological Survey, parts of atlas sheets lying along the common boundary lines of New York and Massachusetts, Connecticut and New Jersey were surveyed and mapped in connection with the co-operative work carried on between the Geological Survey and the several States mentioned. Between New York and Massachusetts the amount so mapped in New York is 236.7 square miles. Similarly the parts of the atlas sheets lying along the Connecticut border and within the State of New York cover eighty-six and four-tenths square miles. The parts of the atlas sheets lying along the boundary of New Jersey and lying within the limits of New York cover seventy-five square miles.

In addition to the above, there were mapped in New York by the United States Geological Survey, prior to the beginning of co-operation, 1,786.5 square miles, between the years 1888 and 1891. In 1892 there were mapped 1,947.2 square miles. The State appropriated, however, $3,000 toward the cost of the work done in this year, though this was but a small portion of the expense of this map, as there were expended in all, in 1892, $18,780. The average cost of the work done in 1892 was nine dollars and sixty-four cents per square mile.

From a perusal of the above, it will be seen that there have been mapped to date, within the borders of the State of New York, 4,158.8 square miles prior to 1893, and 5,230 square miles during 1893, or since co-operation was begun. This area lies chiefly in the eastern portion of the State, and will be published on fifty-three separate atlas sheets.

It is my purpose, at the close of the office season, in April, 1894, to make a detailed report, which will contain a full list of all the elevations obtained during the field season, with descriptions and bench-marks; also the exact areas of the various townships included within the areas mapped, and the areas of the woodlands in the various townships surveyed.

Very respectfully.

H. M. WILSON,
Geographer.

WASHINGTON, D. C., *December* 9, 1893.

Hon. MARTIN SCHENCK,
State Engineer and Surveyor, Albany, N. Y.

Sir.— Under instructions of the director of this bureau, I was detailed to the State of New York to make boundary line surveys in connection with the topographic mapping of the State by the Geological Survey. On June thirteenth I reported to you personally in Albany, N. Y.

It was expected that in mapping town lines, plane table and stadia measurements could be used, and during the month of June this plan was followed in parts of Clinton county. This method was found suitable for tracing boundaries well marked by property lines and fences. But in several cases, where the town line was not a division line of property, and in other cases where it changed direction under the same circumstances, or passed through timber, it was found necessary to run a random or approximation line.

In Clinton county it was found that several town lines and parts of lines had never been run, notably the north line of Dannemora and the west line of Schuyler Falls, and that but one or two division lines in this county had been marked otherwise than by the usual stake and stones or blazed trees.

The topographic party in Essex county was also visited during June, and from information gathered it was found that a great number of lines in this section would require rerunning.

On August fifth, a transit party was organized under charge of Mr. Wallace Greenalch, for work in Essex county. Two chainmen were furnished from Albany and the balance of the party was made up near the line, changing axemen from time to time in different localities of work. This party remained in Essex county the entire season, save for a fortnight's work on the Dannemora line in Clinton county. This party was disbanded on October tenth.

On August tenth a transit party under charge of Mr. C. G. Witbeck began work in Essex county and remained in that county during the entire season until disbanded on October fifteenth. Mr. Witbeck was taken sick after two weeks' work and was relieved by Mr. Reeves Smith, who remained in charge of the party during the balance of the season. The party was made up in the same manner as the first party.

Near the end of the season, Mr. H. K. Averill, C. E., of Plattsburgh, N. Y., was employed in running small pieces of line and redetermining corners in Clinton county.

After the two transit parties were disbanded and funds were found to be running short, I visited Chemung and Schuyler counties and ran the town lines required for the topographic map in this section.

I accompanied the party of Mr. Greenalch during the greater part of the season. The surveys of Mr. H. K. Averill were mainly made under my supervision.

The work of the several parties and number of miles run is as follows, namely:

The party under charge of Mr. Greenalch ran the following lines, wholly or in part, as noted:

	Feet of line.	Feet of offsets.
Jay-Chesterfield, Essex county (part).....	41,643	16,760
Jay-Black Brook, Clinton-Essex county	14,145	.....
Jay-Wilmington, Essex county	53,273	.....
Jay-Keene, Essex county (part)	6,500	.....
Wilmington-Black Brook, Clinton-Essex county,	42,453	.....
Wilmington-St. Armand, Essex county	46,462	.....

	Feet of line.	Feet of offsets.
Wilmington-North Elba, Essex County (part)...	12,000	.....
St. Armand-North Elba, Essex county (part) ..	52,069	.....
St. Armand-Franklin, Franklin-Essex county (part)	20,600	.....
Beekmantown-Altona, Clinton county (part).. Dannemora-Altona, Clinton county ..... Dannemora-Ellenburg, Clinton county (part) .	75,265	.....
Total feet	364,410	16,760

Total miles of line	69.0
Total miles of offsets	3.2

The party, under charge of Mr. C. G. Witbeck and Mr. Reeves Smith, ran as follows (all in Essex county):

	Feet of line.	Feet of offsets.
Jay-Keene (part), (Witbeck)	37,727	.....
Jay-Elizabethtown (Witbeck and Smith)	11,878	.....
Jay-Lewis (Smith)	37,085	31,100
Jay-Chesterfield (part), (Smith)	9,500	.....
Wilmington-Keene (part), (Witbeck and Smith),	19,875	.....
Wilmington-North Elba (part), (Smith)	23,150	.....
Keene-North Elba (part), (Smith)	27,560	.....
Total feet	166,775	31,100

Total miles of line	31.6
Total miles of offsets	6.0

The work of Mr. H. K. Averill comprised the following, all in Clinton county:

	Feet of line.	Feet of offsets.
Plattsburgh-Schuyler Falls (part)	20,500	.....
Beekmantown-Dannemora (part)	5,500	.....
Beekmantown-Plattsburgh (part)	45,000	.....

	Feet of line.	Feet of offsets.
Plattsburgh-Dannemora	3,400	.....
Plattsburgh-Saranac (part)	2,500	.....
Ausable-Chesterfield (Clinton-Essex county), (part)	2,000	.....
Total feet	78,900	.....

Total miles of lines	15.00
Total miles of offsets	.....

The work of Mr. L. C. Fletcher was as follows:

With plane table:

	Feet of line.	Feet of offsets.
Champlain-Chazy (part), Clinton county	9,860	4,620
Chazy Altona (part), Clinton county	2,870	.....
Plattsburgh-Schuyler falls (part), Clinton county,	15,395	560
Plattsburgh-Peru (part), Clinton county	17,065	.....
With transit:		
Big Flats-Southport (part), Chemung county	11,309	5,021
Ashland-Southport (part), Chemung county	15,328	9,224
Ashland-Elmira (part), Chemung county	4,098	620
Catharine-Cayuta (part), Schuyler county	9,546	.....
Total feet	85,471	20,045

Total miles of line	16.1
Total miles of offsets	3.8
Total miles of line for the season	131.7
Total miles of offsets for the season	13.0

On the accompanying outlined county maps the lines marked in red are the lines run. The work of the season is shown in detail on final plats submitted herewith.

The season's work is very large when the amount of the appropriation, $6,000, and the unfavorable character of the weather are taken into account.

The transit parties in Essex were late in getting to work, and during August and September there was much rainy and bad weather. The character of work in this section is extremely unfavorable for a good output, the town line often running over steep mountains, while heavy fogs and unsettled weather prevented work for several days at a time.

All of the appropriation of $6,000 was used for surveys alone and no part of this sum has been employed for final monumenting.

In order that a proper understanding may be had of these surveys, and that the requirements for the future prosecution of the work may be intelligently presented, the accompanying detailed reports and recommendations are submitted.

I am, very respectfully.

L. C. FLETCHER,
Assistant Engineeer in Charge.

A GENERAL DISCUSSION OF TOWN LINE WORK.

An annual appropriation of $6,000 is not sufficient for the proper prosecution of this work. The bulk of the detailed work will require to be done in the wild country, comprising the Adirondack region and in the Catskill mountains. The entire State, however, requires attention. Less than three per cent of the town lines of the State of New York are marked by permanent monuments. These lines depend mainly for their positions on old patent and lot lines. In the wilder section these lines are mainly boundary lines of the old towns and patents, and rerunning and marking them permanently will give a base for future subdivision.

It is only a question of a few years when the marks on which the titles of these tracts rest will be obliterated. The State is principal owner of this wild land and the longer this work is deferred the more difficult and expense will be the work of retracing these old lines.

The boundaries of these wild lands depend on many surveys made during different years. The markings of these surveys are frebuently not consistent with the notes, and in some cases

conflict with each other. In some instances there are left strips of surplus land known as gores.

The difficulty in tracing old lines arises from the system of marking them. They are mainly marked by blazed trees, while in a few cases stakes and stones were placed at lot corners. It is easy to see that lines run a century ago must necessarily be almost indistinguishable now. The blazed trees and stakes and stones have nearly all disappeared.

Most of this work requires to be done in counties which can ill afford to pay the expenses of the survey. The relative cost of the surveys in the mountains and in the better settled country might roughly be estimated at three to one.

The town line work of this year was conducted chiefly on territory mapped by the topographers of the United States geological survey. For the best results the town line work should be prosecuted a season in advance of the map work.

The lines now run must be monumented either with cut stone or iron posts at changes of direction and road crossings. Care must be taken that these stone monuments are large enough to be readily recognized. The State, as the party most interested in these lands, should properly run these lines and mark them.

Careful thought will be necessary in order to reach a final decision regarding the style of monuments, but they should be placed about one foot out of ground for every two foot under. It would be, perhaps, better if the monuments placed in the woods were of cast-iron pipe of such diameter that they would readily be found. Marks at road crossings could be of cut stone. It is believed that iron monuments will be more readily distinguished than cut stone in the woods, and also that cast-iron pipe, six feet long, perhaps four inches in diameter inside, can be carried and set in position easier than cut stone.

It is not expected that town lines in all sections of the State where mapping is going on will require immediate attention. From this season's work two topographic parties, one in Clinton county and one in Essex county, received almost the entire attention of the town line survey parties. But more lines would have

been run in other portions of the State if the appropriation had been larger.

These town lines should be retraced and monumented in such manner as to correspond as nearly as possible with the original surveys, and to do this the co-operation of the towns and counties will be required. The State should make the field surveys and the counties should furnish descriptions of the boundaries of the towns, maps and dates of the surveys governing their lines. As will be noted from the report on lines run this year, some steps must be taken to force an issue on the towns. If they have not settled their boundary disputes a law should be passed giving the State Engineer power to render final decision.

In some cases the laws governing the lines will be found defective and will require reframing. What was intended in the law and what it calls for are not always the same.

It is expected that all town lines in the Adirondack region will require to be looked over very carefully and probably rerun. There is now a disputed point at the southeast corner of Macomb's purchase, which will require final settlement next field season for mapping purposes.

The work of this season has been in a section of country where iron ore is abundant and town lines were difficult to trace because all marks had been removed with the cutting of timber for making charcoal.

The following is an abstract of disbursements on account of the $6,000 appropriation for town boundary line surveys:

	Salaries.	Labor, including livery and boat hire.	Field supplies, expenses and subsistence.	Traveling expenses.	Total for month.
June	$74 12	$4 00	$19 75	$74 58	$172 45
July	385 10	344 50	254 82	44 28	1,028 70
August	603 10	571 38	378 02	55 38	1,607 88
September	730 86	767 75	333 67	205 51	2,037 73
October	349 78	435 40	172 86	130 55	1,088 59
December	62 00	.....	2 40	.....	64 60
Totals	$2,204 90	$2,123 03	$1,161 52	$510 30	$5,999 75

A DESCRIPTION OF LINES RUN.

Clinton county:

The following lines and parts of lines were run with plane table and marked in red on subjoined plot of Clinton county:

Champlain-Chazy.— The line and changes of direction at A are plainly marked by fence lines and traces of old fence lines. At B where line changes direction the line is not plain. Part of line in woods and an approximate line run. The south corner approximated.

Chazy-Altona.— The change of direction at this place is unmarked. The road crossing is marked by an old heap of stone and the south corner marked by fence corners.

Schuyler Falls-Plattsburgh.— This line was run first with plane table from information gathered near line. The running was not found consistent and was rerun by Mr. H. K. Averill later in season.

Plattsburgh-Peru.— This line was easily followed and has permanent (?) marks of large wooden posts, iron capped at corners of line and lake shore.

Also the following transit lines, marked in red on plot:

Dannemora, Ellenburgh and Altona.—This line is an extension of the north line of Beekman's patent and had been run partially westward to the southwest corner of Altona by Mr. Johnson, C. E., of Plattsburgh, N. Y.

It was carried west to vicinity of Bradley pond and there stopped, because of funds running short and the lateness of the season. The difference of the line run previously by Mr. Johnson and by the State this season is about fifty feet at the Altona corner.

Dannemora-Beekmantown.— This line was run in part to determine the northeast and southeast corners of Dannemora, depending on lot lines.

Plattsburgh-Saranac.— This line run in part to determine the northeast corner of Saranac and depends on a measurement of two miles west from Platt's patent.

Plattsburgh-Schuyler Falls.— This line is mainly on lot lines and the property lines were accepted for old lines. The line is straight except for two small jogs.

Au Sable-Chesterfield.— This is also the county line. Corners were made on the Au Sable river and the lake shore.

From information gathered this season the lines marked in green on the plot of Clinton county will require to be run finally. In the case of the Schuyler Falls-Saranac boundary, the line has never been run. In the case of Clinton, Ellenburg-Mooers, Altona, the line by law depends on old military townships, but has partially been run as a straight line by authority, and a determination will require to be made as to the manner of running it. In the case of the Dannemora-Saranac line, part has been run westward from mountain top by Mr. H. K. Averill. The line depending on extension of Beekman patent. A part will require rerunning next year as marked in green on plot.

In the county line between Clinton and Franklin there is a gore between old military townships 4 and 9, which is left out of the map of Clinton county made recently by Mr. H. K. Averill. This was at first part of township 4, an extra tier of lots which was afterwards resurveyed and resold. The title of the last set of owners was confirmed. The law of Clinton county clearly states that its territory shall extend westward to the east bounds of 7, 8, 9, 10, old military townships, so that this gore must be regarded as part of Clinton county.

Few maps agree on the shape of this boundary line between Clinton and Franklin counties.

Essex county:

The bulk of the season's work was done in this county. With the exception of part of the Essex-Clinton county line, the town lines were almost entirely on timbered mountain slopes.

Jay-Chesterfield.— For this line no reputable survey could be obtained to base work on. The county and town clerks could furnish no record of it. The law describes this line "as hereto-

fore run." Testimony of people living near the line was taken to run a random line. This line can be used to finally monument the line. No reputable marks were found. Charcoal burners have taken off about all the original timber and the mountains along this line are almost entirely covered with timber of recent growth. An agreement will require to be reached by the two towns before a final line can be run.

Jay-Wilmington.— There is a perfectly plain line here, which was run less than twenty years ago by Mr. Johnson. It was not accepted at the south part. People on the Wilmington side of this line continue to vote in Jay as they did before the line was run. The law describing this boundary calls for the last course to be south 50 west from Hamlin mountain. This is clearly an error and was intended for south 30 west. The line run does not quite follow this bearing, the course south from Hamlin mountain being based on notes of an old survey calling for this line to pass over another knob south, known as Rattlesnake knob. The law calls for a bearing of south 50 west, and if this is corrected to south 30 west, this course will probably be satisfactory.

County line, Essex and Clinton.— Was run in part by Mr. Johnson. He accepted an old line mark on Leggett mountain and ran eastward. There are no reputable marks on this line save a few line trees on the east side of Leggett mountain and the corner of Jay-Wilmington, on a small island in Black brook. The law calls for a bearing of south 50 west, and if this is corpoints nor is the extension of his line east to the bend in line at A. His line carries over 500 feet north of a monument erected here by Mr. H. K. Averill from lot surveys east and south. Mr. Johnson's line is clearly too far north. His line is tangent to the Au Sable river, when the old notes and map of the Jay tract require this line to cut the river. A sketch of the Jay tract at this point is subjoined. Mr. Johnson's line is monumented at lot corners and road crossings.

From Leggett mountain westward to Franklin or St. Armand line there is nothing but a new growth of timber. All late

maps make this line joining the St. Armand line south of the Franklin-Essex line. General direction from top of Leggett mountain, using A as a backsight, throws the line north of this point. The notes of the lot in this the northwest corner of the Jay tract call for a small spring at this point. There is a small brook about 350 feet north of the St. Armand-Franklin corner, and swampy ground for the space of a rod. There is nothing south on this entire lot side to show a stream crossing. The lot will be long on measurement, some 400 feet, if we accept this small brook at the corner, but it would seem the proper place to establish it.

St. Armand-Franklin (Essex-Franklin county line).— This line was run as far west as the Saranac river. It was readily followed; property lines agreeing with the survey.

St. Armand-Wilmington.— Was readily followed. A survey perhaps twenty years old, but in old timber on south course towards Lake Placid old marks were found.

St. Armand-North Elba.— Was traced westward from Lake Placid. This line is in fault at junction of last two lots on Saranac lake end. The description of these two lots in original notes on old military survey conflict, and two old lines are on the ground. Either could be accepted in absence of the other. I believe that if the lot east was allowed to corner in the south part of the pond and the lot west in the north part it would be a proper determination.

North Elba-Wilmington.— Part of this boundary is the extension eastward of the North Elba-St. Armand line and had never been run previously, and the balance had never been run fully since original surveys.

Wilmington-Keene.— No reputable marks were found. It was run westward as an extension of the Jay-Keene line. This line should be further looked after next season.

North Elba-Keene.— A random line was run as far south as the Cascade lakes. A final line will require to be run next season.

Jay-Keene.— This line was retraced.

Jay-Elizabethtown.— This line was rerun, but part had apparently never been run.

Jay-Lewis.— This line had been rerun about fifteen years ago by Mr. J. W. Steele. Few marks could be found. Forest fires had taken off about all old timber since that time.

Chemung county:

(Lines in red run with transit.)

Southport-Big Flats.— This line has been questioned because of a bridge in the town of Big Flats very close to the corners of the three towns of Big Flats, Elmira and Southport. There is a small jog in line at A of five chains, if original lost measurements are to be accepted. Testimony will be required to settle the north corner at this jog. Direction carried from the corner accepted at five chains distance, throws the line so far south of the bridge that there can be no question as to its position in the town of Big Flats.

Southport-Elmira.— The line follows the river and islands, as described by law, to the head of Big island, and the line crosses this island from north to south on old lot line. The north end of the island has been partially washed away since original surveys, and the south end, where this line met the river, is also changed by the river cutting a new channel. The old bed of the river is plainly to be traced where the town line stopped. A sketch is attached showing change in island, the present river marked in red.

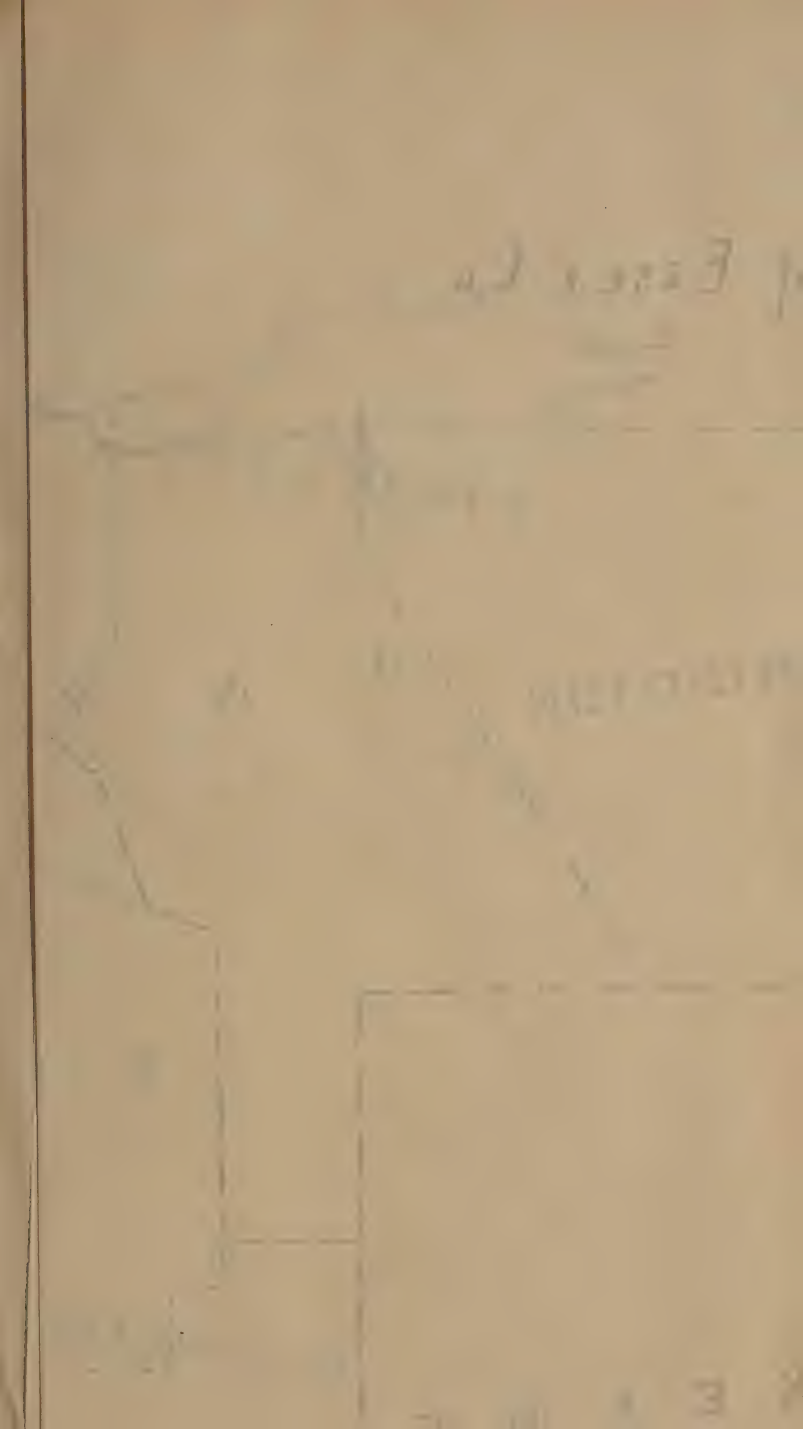
Southport-Ashland.— This line is marked mainly by property lines. The courses marked in red on plot were run and found to agree with the law.

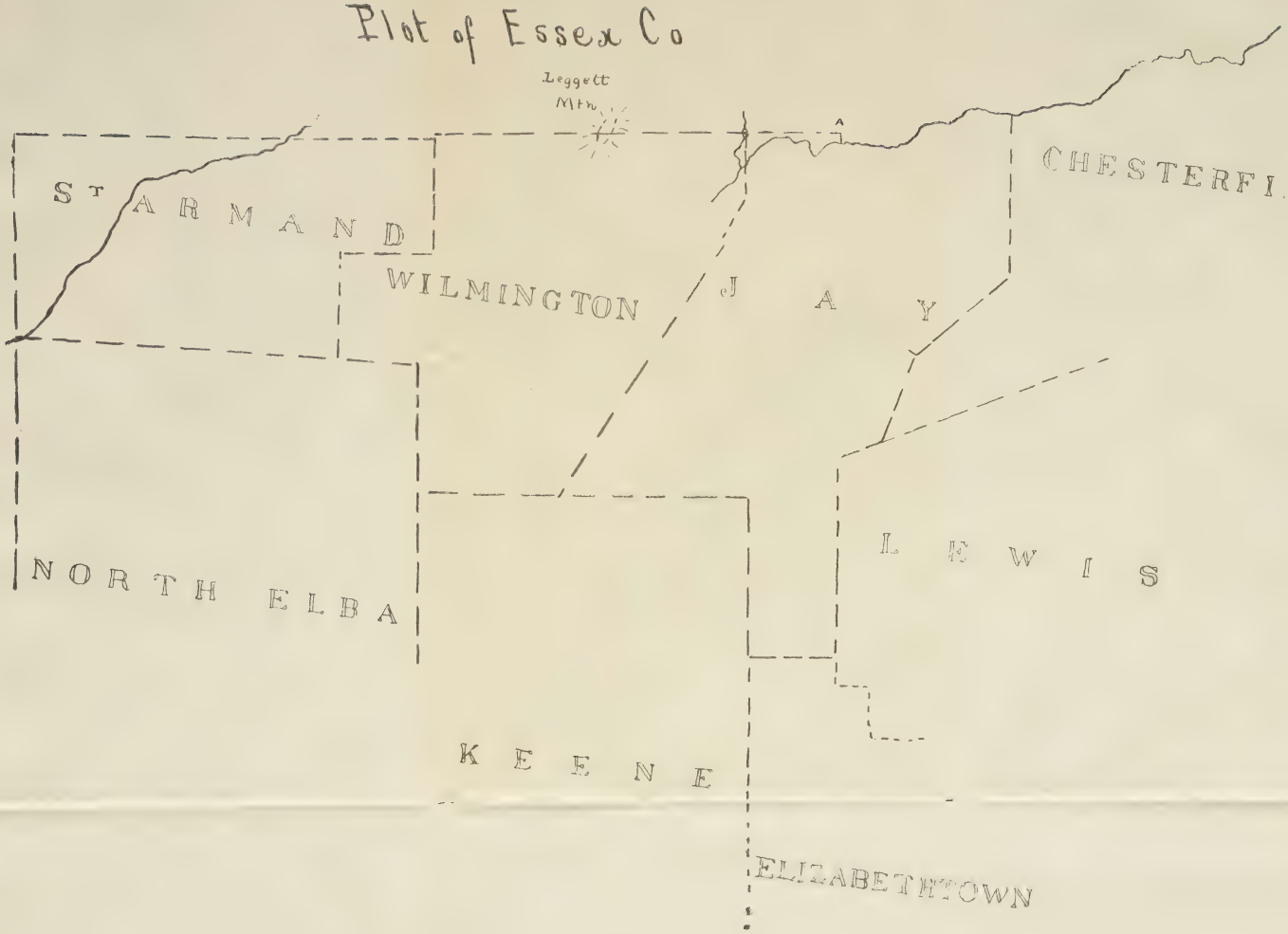
Schuyler county:

Catharine-Cayuta.— A change was made by supervisors transferring school district 10 of Cayuta township to Catharine. The people living in this school district vote and are taxed in Catharine township. Search in Albany at Secretary of State's office

fails to discover a record or survey of the change filed there. From information gathered at Alpine no survey has been made. The county clerk of Schuyler county was written to by the State Engineer regarding this change. He knew nothing of a survey nor had he had one on file. He recommended writing to the clerk of the board of supervisors. No reply has been received from him to date. To become a law, in a change of this character, a survey is required to be made and a copy filed with the Secretary of State at Albany.

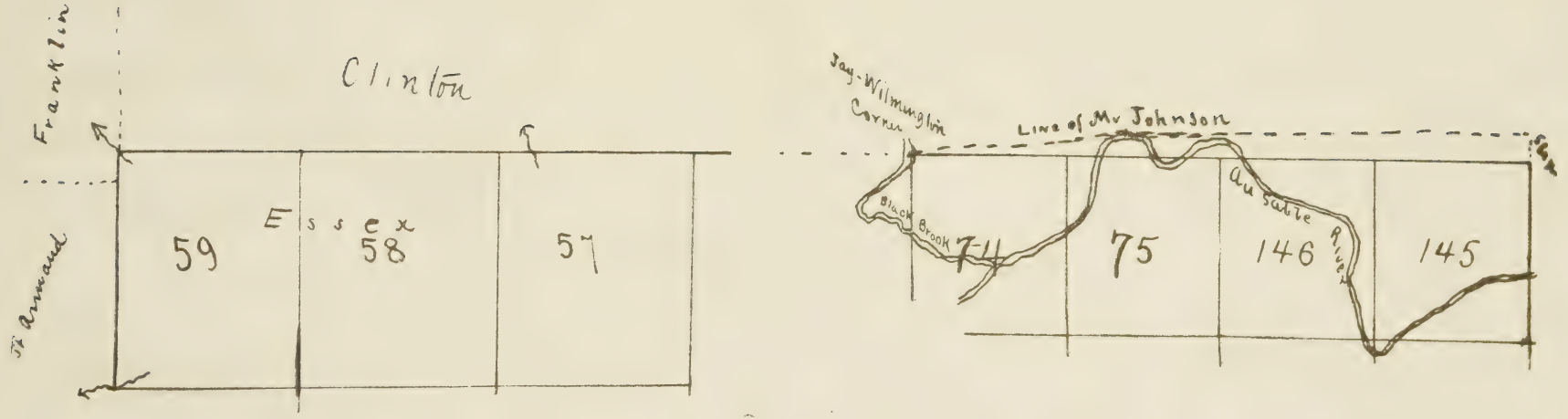
H. E. FLETCHER,
Assistant Engineer.



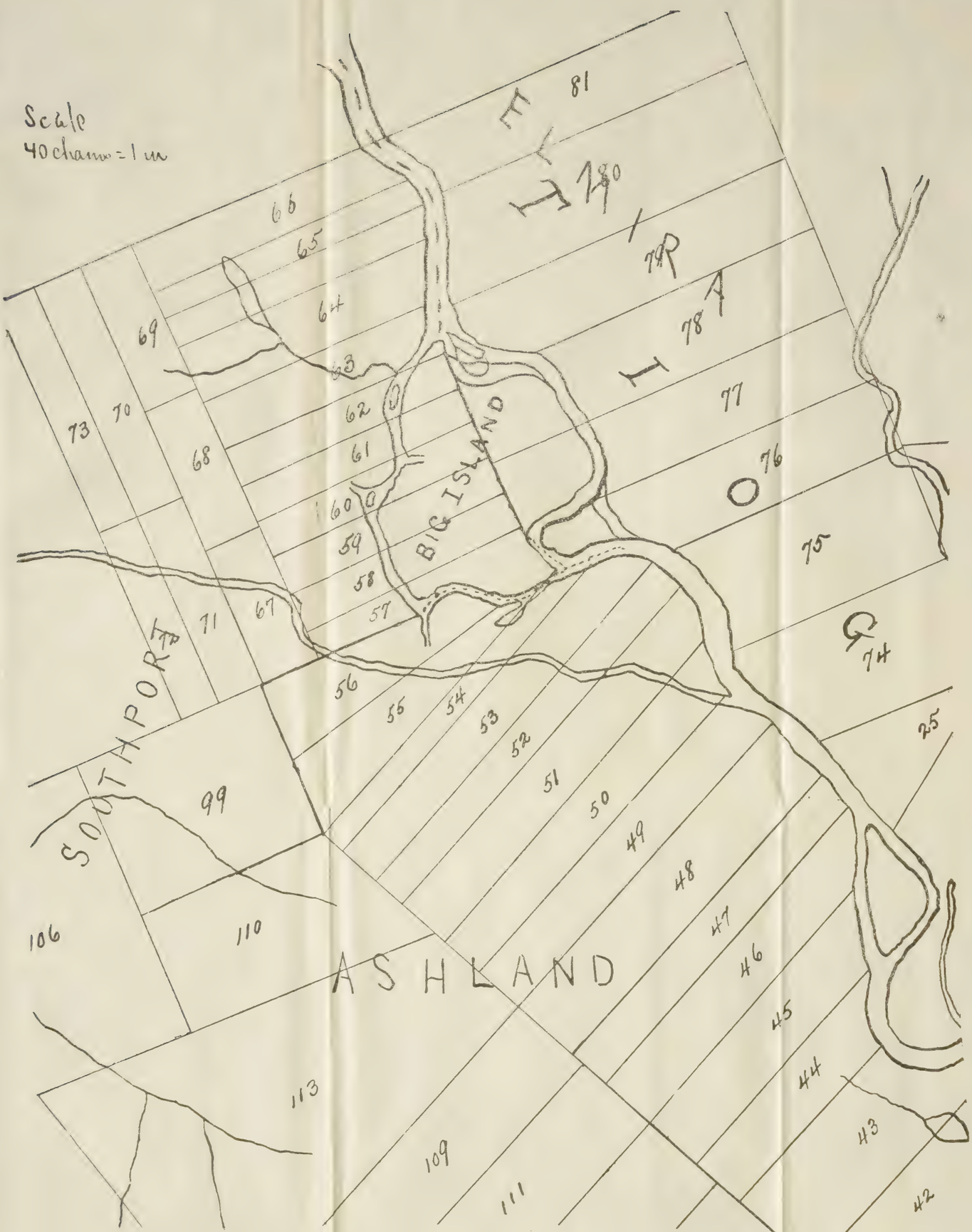

Plat of Essex Co
Leggett Mtn
ST ARMAND
WILMINGTON
JAY
CHESTERFI
NORTH ELBA
LEWIS
KEENE
ELIZABETHTOWN

Tracing from map of Jay tract

Showing part of Essex Clinton Line



Plot of Clinton County
CANADA
CLINTON
MOOERS
CHAMPLAIN
ELLENBURGH
ALTONA
CHAZY
DANNEMORA
BEEKMANTOWN
PLATTSBURGH
SARANAC
SCHUYLER FALLS
Gore
PERU
BLACK BROOK
AU SABLE


Scale
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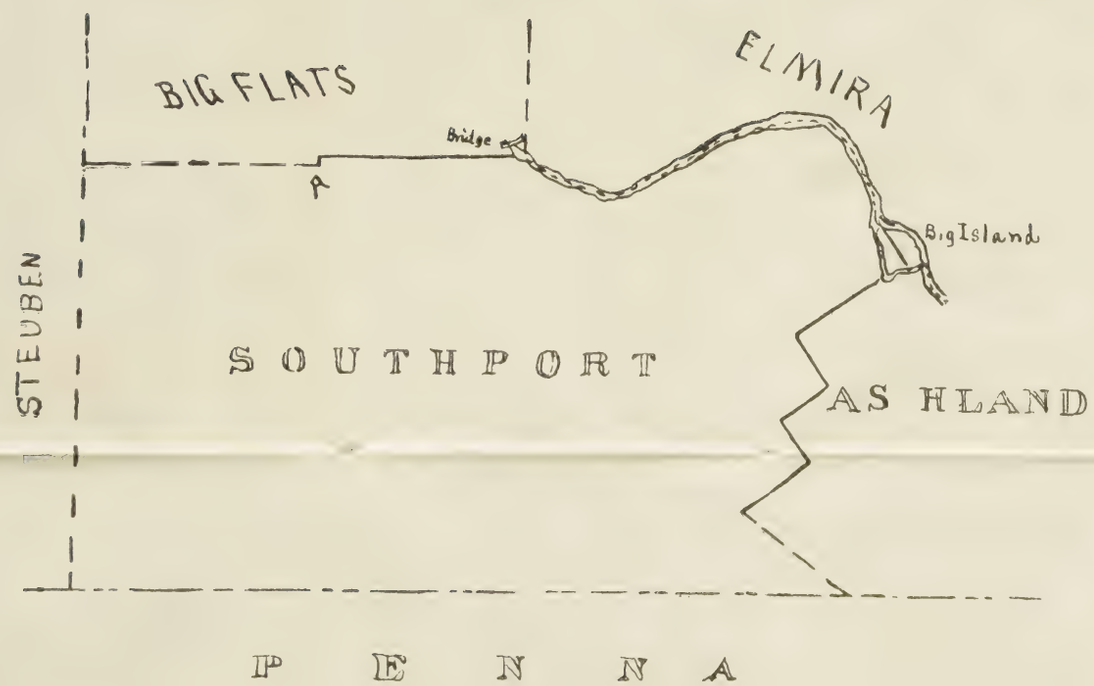
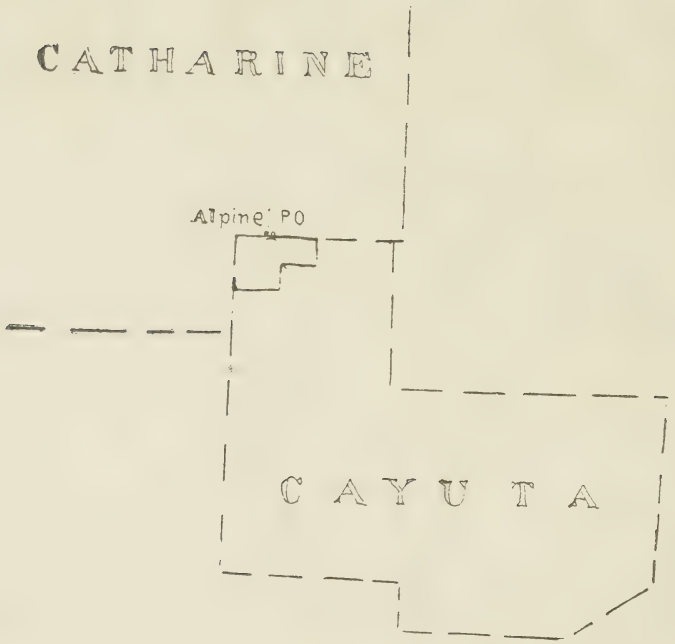
BIG ISLAND
SOUTHAPORT
ASHLAND

CHEMUNG COUNTY



SCHUYLER COUNTY.



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STATE OF NEW YORK.

SPECIAL REPORT

OF

THE FOREST COMMISSION.

STATE OF NEW YORK.

No. 22.

IN ASSEMBLY,

JANUARY 16, 1894.

SPECIAL REPORT

OF

THE FOREST COMMISSION.

ALBANY, *January* 16, 1894.

Hon. GEORGE R. MALBY,

Speaker of the Assembly:

Pursuant to chapter 332, Laws of 1893, we have the honor to present herewith a part of our annual report, and would ask permission to supplement the same with a further communication at an early date.

Yours very respectfully.

FRANCIS G. BABCOCK,
SAMUEL J. TILDEN,
CLARKSON C. SCHUYLER,
NATHAN STRAUS,
WILLIAM R. WEED,
Commissioners.

SPECIAL REPORT.

To the Legislature:

This department is directed by law to include in its annual report to your honorable body such recommendations of further legislative action as it may deem proper. In view of the mandatory nature of this requirement we would recommend certain measures for your consideration, prefacing them with what seem to us good and sufficient reasons for their introduction.

First of all, the department would again urge the importance and necessity of providing means for an extensive purchase of lands within the Adirondack and Catskill forests. While we firmly believe in the utmost propriety and expediency of such a measure, we are further emboldened by the unanimous and plainly expressed opinion of the people and press throughout the State. Wherever the opportunity has occurred they have been outspoken in their demands that the State shall no longer delay action in securing and protecting its heritage of forest wealth.

This Commission receives, through a press intelligence agency, newspaper clippings containing every item in the public press referring to forests and forestry. It has been a matter of frequent comment by the readers of these clippings that from the inception of the forestry movement in this State not one newspaper has published a line objecting to the oft-repeated and much discussed proposal that the State should acquire

its forests by purchase, and take possession of them. As to how far the press represents the wishes of our people in this matter you should be well able to judge. Furthermore, in our constant intercourse and discussion with the people on this subject, we find them surprisingly unanimous in the opinion that the State should make the necessary appropriations for this purpose, large though they may be, and this expression is most pronounced in our large cities, where the mass of our taxpayers are located, and on whom the cost of the enterprise would mainly fall. In short, in urging this measure upon your attention we feel that we not only represent the interests of the State, but that we represent the people as well, and that we are fairly voicing their ideas and wishes.

The public interests involved in this question are so vast and important that the proposed measure is entitled to your earnest consideration. On the preservation of our forests depends the water supply of our rivers and canals; the motive power of great manufacturing interests; the priceless benefits offered by our forest sanitariums; the many delightful places of refuge from the summer heat of cities; and the existence of our fish and game. But, above all, on their preservation depends that great factor in our political economy, our future timber supply.

We do not consider it necessary to amplify these points by way of explanation. This department in its former reports has repeatedly gone over the subject, fully and in detail; while for years the newspapers in their editorials have dwelt upon each topic. We assume that you are already familiar with the more important points in the literature pertaining to this question.

The Great Forest of Northern New York covers an area of 3,588,803 acres. The Adirondack Park, or proposed reservation, includes 2,807,760 acres. The lands within the park line have been carefully classified, lot by lot, with the following result:

	Acres.
Primeval forest	1,575,483
Lumbered forest*	1,027,955
Denuded	50,050
Burned	13,430
Waste	18,526
Water	57,104
Wild meadows	495
Improved	64,717
	2,807,760

The difference in area, 781,043 acres, between the entire forest and that of the proposed reservation represents scattered or isolated tracts of woodland which could not well be included within the park line. Some of these were remote tracts, far from the main forest, and surrounded either by farming lands or by bare, sterile plains; while others, though contiguous in spots, form irregular spurs projecting into the agricultural districts. These tracts are the ones most exposed to fire and petty depredations; and although the Commission will, as hitherto, do all in its power to protect these lands, it was not deemed advisable to run irregular boundary lines along the extreme edge of the forest in order to include them. An exception, however, was made in this respect on the Hudson watershed, where,

* Forests in which lumbering occupations have been carried on, but from which the spruce and hemlock only have been removed, leaving a hardwood forest interspersed with young conifers. On some of these tracts the smaller spruces left by the lumbermen have grown in size until they are large enough for a second cutting.

for considerable distance, the line was pushed out to the extreme verge of forest cover.

The State owns 731,459 acres in the Adirondack forest, of which 551,093 acres are situated within the lines of the reservation.

THE ADIRONDACK PRESERVE.

Number of acres January 1, 1894.

County.	Adirondack Park.	Outside.	Total.
Essex	166,609	24,402	191,011
Hamilton	274,018	.....	274,018
Warren	40,929	21,115	62,044
St. Lawrence	29,466	1,798	31,264
Franklin	25,460	65,062	90,522
Herkimer	14,611	6,098	20,709
Clinton	.....	18,076	18,076
Fulton	.....	21,783	21,783
Lewis	.....	5,243	5,243
Oneida	.....	4,593	4,593
Saratoga	.....	10,957	10,957
Washington	.....	1,239	1,239
	551,093	180,366	*731,459

It is not proposed that the State shall buy the entire remaining area. It would not be necessary. By the sale of the outlying lands and timber rights, and reinvestment of the proceeds in the interior, it is expected that the State ownership within the Park can soon be increased to 900,000 acres or more. Furthermore, it is not proposed to buy the improved lands within the lines, of which there are 64,717 acres. It would not be necessary to disturb the farmers who occupy these lands. Any system of forestry which would produce a revenue

*Acquired prior to tax sale of 1890 676,738
Acquired at sale of 1890 54,721
731,459

from the State lands would require a resident population to supply the necessary labor. If any of these farms should be abandoned, or offered for sale at woodland prices, they should be purchased and held for reforesting. The sterile soil of the Adirondack Plateau is worthless for agricultural work; the forest is the only crop that can be harvested from it with profit. It will produce successive crops of black spruce, without care or expense; it will not produce cereals except at a loss. There are a few farms within the reservation on which fair crops are raised; but the patient toil expended on them would have been far more remunerative if expended in any other pursuit. The territory contains numerous deserted farms which the owners were compelled to leave after a hopeless struggle with increasing poverty; but not until the fallow fires started in their misdirected efforts had destroyed large areas of valuable timber.

Neither is it necessary to purchase the hotel property and lands necessary to the continuance of such business; nor the water fronts and high-priced property held for summer residents. These interests are dependent upon forest preservation. The owners of such property will not injure any woodlands. In providing for its future timber supply and revenues, the State must also protect the sanitarium and summer resort of its citizens. But the State cannot go into the hotel business, and so the purchase of such property is not advisable; especially, as it is small in area, high in price, and in no way antagonistic to forest preservation.

There are villages, also, which cannot be included in any scheme of purchase. Within the lines of the proposed reservation are the villages of Saranac Lake,

Wellstown, Indian Lake, Newcomb, and Tupper Lake; and, the smaller hamlets of Sageville, Long Lake, North Elba, Lake Placid, Morehouseville, and Benson. There is a population within the lines of 6,167, not including summer residents or inmates of the winter logging camps. In estimating the area to be purchased, deduction should be made, also, for the 57,104 acres of water surface.

The large territory owned by private clubs should also be taken into consideration. These private preserves contain, in the aggregate, about 565,000 acres, and as their interests are wholly dependent on forest preservation it would be unnecessary to raise money at present to purchase that area. If, however, the acquisition of their lands should be deemed advisable, their purchase could be deferred, at least, until the remainder of the territory shall have been acquired. One of these private corporations, that of the Adirondack League Club, covering 105,000 acres, has offered through a member of its executive committee to enter into a contract as provided by the law of 1892, in which the State grants exemption from taxes provided the land owner will agree to restrict all timber cutting to certain species and to a minimum diameter of twelve inches on the stump.

This particular and excellent plan for placing forest tracts under State control has already been brought to your attention in the annual message of Governor Flower. What we ask for now is the purchase of a class of lands which, by reason of their having been cut over or of the determination of their owners to commence operations on them, could not be included in the plan devised by the Governor and already provided for in the present law.

It will thus appear, after deducting the amount already owned by the State, and the area obtainable through the sale of outside tracts, together with the area of improved lands, water surface and private reserves, that the remaining area to be acquired by purchase will be not far from 1,200,000 acres.

And now arises the important and pertinent question: What will it cost? How much money must be appropriated to purchase this area of 1,200,000 acres; or, if not purchased outright, to acquire control of it? This question can not be answered accurately. The assessed valuation of this territory (the private preserves having been deducted) is about $1,500,000. But this sum bears no fixed proportion to the market value of the land, owing to the wide difference in the ratio of valuation used by the assessors in the various towns. In some towns the lands are assessed at nearly their full value, coupled with a low tax rate, while in other towns this method is reversed.

An estimate of the cost can be arrived at only by a classification of the lands based on their merchantable timber, together with the prices obtained for such lands during the past two years.

As stated before, the proposed reservation contains 1,027,955 acres of lumbered forest, very little of which is included in the club lands and private preserves. Of this amount 350,000 acres are already owned by the State. The 1,200,000 acres to be purchased may then be classified approximately as—

	Acres.
Lumbered forest	677,955
Primeval forest	522,045

The price of lumbered lands, or lots that have been cut over, is fairly well established at one dollar and fifty

cents per acre. The Forest Commission has had no difficulty whatever in making its previous purchase, at that rate. In fact, much more land was offered at that price than could be accepted under the limited appropriations made for the purpose, and large amounts are still tendered at that figure. But if the State persists in delaying its purchase until the small growing spruces attain a size which will warrant a second cutting, it will be impossible to secure these tracts at any such rate. The Commission is already selling large timber, twelve inches in size and upwards, on lands that have been cut over before, and is obtaining more than one dollar and fifty cents per acre, while it still retains possession of the land with its promise of further revenues in the future. If the State buys these lumbered lands now, they can be obtained for one dollar and fifty cents per acre. A few more years of delay and a higher price must be paid, independent of any rise in the market value of the acreage.

Lands that have not been lumbered or cut over—the so-called virgin forests—are worth from $3 to $8 per acre, according to their accessibility or the amount of standing merchantable timber—spruce, pine or hemlock—which they contain. A sale was recently made at $10 per acre, but this price was due to an unusually fine cut of wood pulp which was obtainable, in addition to the sawing timber, and was an exceptional case. Adirondack timber lands (uncut) yield on an average 3,000 feet of logs to the acre, worth $1.50 per thousand feet on the stump. This would indicate an average price of $4.50 per acre for the uncut forests. This price, however, would be enhanced by delay or by injudicious methods in buying.

In view of these facts, we feel warranted in assuming that the acquisition of the 1,200,000 acres necessary to the preservation of the forests within the proposed reservation may be acquired by an expenditure based on the following estimate:

377,955 acres lumbered at $1 50.....	$566,932 00
300,000 acres lumbered at $2 00.....	600,000 00
522,045 acres uncut at $4 50.....	2,349,202 00
Total.....	$3,516,134 00

It must be remembered that in placing the price of the uncut lands at $4.50 per acre we mean that it is an average, not a regular, market price. We are well aware that some townships are held, and that sales have been recently made, at a much higher figure. But on the other hand, sales have been recently made, and tracts are being offered, at a much lower price.

There is one way in which this best class of forest land might be obtained in fee and placed under State control without so large an expenditure in purchase money. We refer to the plan contemplated and authorized in Section 121, Chapter 332, Laws of 1893, which reads as follows:

"The Forest Commission shall have power to contract for the purchase of lands situated within the bounds of the park; if any such lands cannot be purchased on advantageous terms, unless subject to leases or restrictions or the right to remove soft wood timber, the contract may provide accordingly; but not for any such right, lease or restriction after ten years from the date of the contract, nor for the right to remove any such trees with a diameter of less than twelve inches at a height of three feet from the ground."

Stripped of its verbiage, this section means that if the State will not vote the money to buy outright it can offer a lumberman $1 50 per acre or thereabouts for first-class forest land, and give him the right to remove the pine, spruce, and hemlock within ten years, the axemen being restricted to the larger trees. At the end of ten years, or less, the State would acquire absolute possession, the forest then consisting of hardwood trees, and the young evergreens which could not be cut, owing to the restriction as to size. Such a forest would show no diminution in foliage, would still perform its functions in protecting our water supply, while the young conifers which were left would in time furnish another crop of timber and a future revenue to the State.

After careful and extended inquiries we feel warranted in assuming that a large proportion of the primitive forest, outside the club lands, could be purchased under this provision at one dollar and fifty cents per acre. The lumbermen who own most of this kind of forest land, value their property at the stumpage price of the merchantable timber and nothing more. When this kind of timber is removed they consider the remaining forest as worthless, because the taxation continues while the land is no longer remunerative. Another cutting of spruce could be obtained after twenty * years, but in the meantime there would be twenty years' taxes to be paid. Where such tracts contain lakes with pleasant water fronts, available for cottage sites, they would of course be excepted. But the forestry plan contemplated by your Commission does not include any summer hotel, cottage, or real estate business, unless it be the leasing of such available sites as the State now happens to own.

* The Adirondack spruce is a tree of rapid growth, possessing the remarkable and valuable peculiarity of reproducing itself without care or expense.

In case a tract included a lake which would command a high price for cottage or hotel sites, a strip of land around the lake could be excepted, and the land in the rear purchased. The policy of the Commission aims at forest preservation, not the acquisition of lake fronts and scenery. Having obtained forest control, the esthetic advantages, which have hitherto entered into this matter to the exclusion of the main question of future timber supply and State revenues, will be incidentally obtained, and that, too, without further expense or care.

It is believed that the lumbermen will readily enter into such a contract, owing to the policy recently inaugurated by this Commission of selling timber from State lands. The lumbermen have for years viewed the forestry movement with apprehension, because they feared that if the State acquired entire possession of the Adirondack Forest their supply of timber would be cut off, and they would be left with their mills and other parts of their expensive plant turned into idle and worthless property. Nor were their apprehensions groundless, in view of the ill-considered talk which at one time was so prominent a feature of our forestry conventions. The lumbermen want and must have logs for their mills; the people want and must have the lumber sawed from these logs. But the lumberman is obliged to tie up a large amount of capital in timber land to ensure his supply of logs. If he can turn his lands into cash and at the same time secure the supply of timber from these lands, he would be willing to do so; and such an arrangement would still be advantageous to both the State and the land owner.

The State, through the provisions of the contract could control the timber cutting; and in time, would come into absolute possession of the forest. The

lumberman would be able to obtain his supply of logs, but under restrictions which would ensure forest preservation and a future timber supply.

We believe, however, that it would be better if the State would meet this question boldly and squarely at the start and buy the land outright, thereby securing for itself the revenues which otherwise must go to the land owners. But, if the State will not do this, then the next best thing would be a purchase in which the land owner is allowed to remove the spruce or other soft woods as specified in the law. The latter plan has one favorable feature in this, that, even after a contract had been made, the State would still have the opportunity at any subsequent time of purchasing the timber right thus granted, and so by some further and subsequent payment come into absolute possession of the land. Some such stipulation at a stated price per acre for the lands not cut over would be a wise provision in the contract.

Although purchases made under a reserved timber right would greatly lessen the amount of the appropriation necessary for the acquisition of the Park area, the plan could not be relied on entirely for such purpose; for that would imply the cutting over of the entire territory within the term specified in the contracts.* The plan could be used only to a partial extent, even were it possible to secure the entire area of first-class forest on such conditions, a consummation which is not at all probable.

In view of the important interests and economic conditions dependent on this question there should be no hesitation in making provision for this purchase, large though it may be. The amount called for is in no way

* The Commssion intend to divide the State forest into blocks whose total number shall correspond to the number of years necessary for mature tree growth thus ensuring a perpetual revenue. In the standing forests of the Adirondacks and Catskills this period of rotation is necessarily less than in a planted forest.

disproportionate to the size, wealth and dignity of the commonwealth. A State that can expend twenty million on one building can well afford to invest one-fifth of that sum in the preservation of its forests, the protection of its inland navigation, and in providing for its future timber supply. The purchase of Niagara Falls was based solely on esthetic considerations; the same reasons enter into this question to an equal extent, with the additional one of the sanitary benefits afforded by our forests upon which many of our people are dependent for life itself.

Six hundred thousand dollars was voted promptly for the transient, ephemeral benefits of a summer season at a World's Fair; but not a cent for the permanent, paying investment and lasting benefit of forest purchase.

We are well aware that any measure tending to increase the tax rate is always regarded unfavorably. Its consideration is taken up with extreme reluctance. But it should be remembered that the State is out of debt; that it can well afford to make this investment—an investment, let it be understood, not an expenditure; that owing to the provision for a bonded debt, distributing the payment of the purchase money through a term of years, the increase of the tax rate for any one year would be so slight as to be almost inappreciable; that the interest on those bonds, together with some of the principal can, beyond all question, be paid from the revenues which these lands will yield from the sale of matured timber; and that the people of our cities, upon whom the bulk of the taxation would fall, are unanimous in their demand for favorable action on this measure.

Reference has been made here to the revenues obtainable from the Preserve, and their availability for the

payment of interest on the bonds. We should state right here that the possibility of obtaining large revenues from the State forest without injury to the same is no longer a theory but a fixed fact. This has been demonstrated by the sales of spruce timber made by this department, and that, too, on lands which had been cut over fifteen to twenty years ago. It will readily appear that if the State should acquire the virgin forest, also, there would be, not only an increased area of productive lands, but an increased revenue per acre.

As previously remarked, you are not asked to make an expenditure, but an investment—an interest-bearing, revenue-producing investment. This all important distinction must not be lost sight of for one moment in considering this question. It is strictly an investment, one convertible into cash at any time; for the lands can always be sold for what they cost. Its safety and desirability is evident from the favor with which it has been regarded by capitalists, some of whom have not hesitated to invest hundreds of thousands in this very property. The sure revenues derivable are clearly apparent in the management of the Adirondack League Club, and in the timber sales recently made by this department, revenues derived without injury to the forest or diminution of its area. If some State Comptroller were to deposit four millions of his funds in banks, on interest, and at the same time secure to the people additional benefits of incalculable value, his action would be applauded. We ask no more at your hands in urging this measure.

In making this oft-repeated proposal for the acquisition of the Adirondack forest we fully realize the momentous character of the legislation involved. But, we also feel that in doing less we should fall short of our duty to the

State, and neglectful of the interests intrusted to our care. Further delay in securing this territory will only result in further diminution of our forest area, together with enhanced prices for the remainder. Such results must surely engender severe criticism in the future. We can only put ourselves on record and await the result.

In presenting this matter for your consideration we desire also to call your attention to the necessity for some action in regard to the Catskill forest. The discussion of the forestry question in this State has hitherto been confined to the Adirondack wilderness, to the utter exclusion of the interests of the Catskill Preserve. The wooded area of the latter region is in size fully three-fifths that of the Adirondack, there being over 2,200,000 acres of contiguous forests in Ulster, Delaware and Sullivan counties. Within this territory the State owns 49,332 acres, principally in Ulster county, in the towns of Denning and Hardenburgh. These holdings are in scattered lots, and should be made a solid tract by the purchase of additional lands, in order that they can be brought under some systematic management. While it is not deemed advisable just now to advocate extensive purchases there, we believe that it would be well to acquire 100,000 acres in the immediate vicinity of the lands mentioned. The same reasons that have been so often urged in connection with the proposed Adirondack purchase apply fairly in this case. Within the Catskill Mountain range are large streams which flow to the Mohawk and the Hudson, while by reason of its nearness to the populous cities of eastern New York its summer population far exceeds that of the Adirondacks. There are thousands in our cities who through lack of means are unable to reach the

more remote and expensive resorts, but who can find here a welcome and satisfactory summer home. Their wants must also be considered, and their claims must not be ignored. We ask that this matter also receive careful and favorable attention at your hands.

In pursuance, therefore, of the law requiring us to recommend such legislation as we might deem necessary to the welfare of the property in our charge we present the following bill, respectfully bespeaking for it the same earnest and conscientious consideration which it has already received from us.

AN ACT TO PROVIDE FOR THE PURCHASE OF LANDS WITHIN THE FOREST PRESERVE.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. To provide for the expense to be occasioned in carrying into effect the provisions of section 121, chapter 332, Laws of 1893, the comptroller is hereby authorized and directed to issue the bonds of the State to the amount in the aggregate of three million dollars, bearing interest at a rate to be fixed by the comptroller not exceeding four per centum per annum. Said bonds shall bear date as of June first, eighteen hundred and ninety-four, and shall be for one thousand dollars each, numbered consecutively from one to three thousand, if so many shall be issued, with interest payable semi-annually from the date of their issue, one-twentieth of which bonds in the order of their number, together with interest on all bonds unpaid, shall be paid annually after ten years from the date of issue shall have elapsed. Said bonds shall be sold by the Comptroller, as fast as needed, for the best prices which he can obtain, at not less than par, and the proceeds thereof shall be applied, except as

hereinafter provided, for the purchase of land within the boundaries of the Adirondack Park.

§ 2. The Forest Commission shall, with the concurrence and approval of the Commissioners of the Land Office, have power to contract for the purchase of forest land situated within the counties of Greene, Ulster, Delaware and Sullivan, at a price not exceeding one dollar and fifty cents per acre, and in amount not to exceed sixty thousand acres, the same to be paid for by the Comptroller from the fund established in this act.

§ 3. This act shall take effect immediately.

The use of the word "park" in connection with the Adirondack Reservation seems to have caused a misapprehension in the minds of some, who, accepting the word in its literal or common meaning, have labored under an impression that expenditures were to be made in making driveways, underbrushing the trees, and in improving the scenery. Acting under this error, the ill-natured criticism has been made that the park was for the rich only, and that the expenditure would be for their benefit solely.

It may be well to say here that the word "park" is used in the same sense as in the Yosemite or Yellowstone Parks and in other national forest reservations. The word "preserve" was not available, for we already have a forest preserve, established by law, and which differs in area and situation from the Adirondack Park. This forest preserve is divided, for convenience in reference, into the Adirondack Preserve and Catskill Preserve. The Adirondack Park, although situated within the Adirondack region, is not identical with the Adirondack Preserve. Neither was the word "reservation" desirable, owing to the numerous Indian grants which

are thus designated, one of which—the St. Regis Reservation—is located in Northern New York.

To lessen further misunderstanding, we would say that the Adirondack Park is open to all, the poor as well as the rich. All are welcome. Any one may pitch his tent anywhere on State land without let or hindrance, and occupy it without rental or price. Furthermore, all appropriations granted will be expended for business purposes only and on business lines strictly. No part of the money will be expended in beautifying the woods, in local improvement or in ministering to the comfort of any one; but solely in protecting the forest and in securing a future and perpetual timber supply.

The remainder of our report is somewhat voluminous, but through pressure of other business its presentation at this time is unavoidably delayed. We ask your indulgence in this matter and permission to supplement this communication with a further one at an early date.

All of which is respectfully submitted.

FRANCIS G. BABCOCK,
SAMUEL J. TILDEN,
CLARKSON C. SCHUYLER,
NATHAN STRAUS,
WILLIAM R. WEED,
Commissioners.

ANNUAL REPORT

OF THE

STATE BOARD OF PHARMACY,

FOR THE YEAR 1893.

TRANSMITTED TO THE LEGISLATURE JANUARY 9, 1894.

ALBANY:
JAMES B. LYON, STATE PRINTER.
1894.

STATE OF NEW YORK.

No. 23.

IN ASSEMBLY,

JANUARY 9, 1894.

ANNUAL REPORT

OF THE

STATE BOARD OF PHARMACY.

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, *January* 9, 1894.

To the Legislature:

I have the honor to transmit herewith the annual report of the State Board of Pharmacy for 1893.

ROSWELL P. FLOWER.

REPORT.

LAKEWOOD, N. Y., *June* 29, 1893.

To His Excellency, ROSWELL P. FLOWER, *the Governor of the State of New York:*

Sir.— The State Board of Pharmacy submits the following report for the year ending June 23, 1893:

The number of applications which were received for licenses during the year were	357
Of which the number received for examination for the grade of licensed pharmacist were	307
For the grade of assistant pharmacist were	21
For license under the law	29
The number of certificates that were issued were	216
To licensed pharmacists	153
To assistant pharmacists	32
To applicants without examination	31
The number of candidates that were examined were	421
The number of candidates that were licensed were	185
The number of candidates that were rejected were	236
The number of candidates that were re-examined were	101

As per following table, viz.:

	Examined.	Licensed.	Rejected.	Re-examined.
September 2, 1892	75	30	45	19
December 2, 1892	103	60	43	25
February 24, 1893	117	60	57	29
June 23, 1893	126	35	91	28
	421	185	236	101

The table which follows accounts for all of the applications which have been filed with the secretary during the year:

Number of new applications for examination	327
Number of new applications for legal recognition	30
	357

Number of new applicants examined	320
Number of applicants licensed by law	31
Number of applicants who have not appeared for examination	6

The financial report is as follows, viz.:

RECEIPTS.

Balance of cash on hand at last report	$3,330 34
Cash from 357 applications	1,743 00
Cash from prosecution cases	50 00
Total receipts	$5,123 34

DISBURSEMENTS.

Printing	$27 50
Furniture	3 75
Engrossing	23 00
Postage	52 16
Hotel expense	168 00
Prosecutions	120 08
Fee refunding	5 00
Miscellaneous expense	64 85
Salary	400 00
Traveling expense	360 34
Compensation	1,355 00
Stationery	15 38
	$2,595 06
Balance on hand	2,528 28
	$5,123 34

The balance of cash on hand is held as follows, viz.:

Contingent fund in the hands of the secretary	$0.58
Cash in the hands of the treasurer	1,027 70
Cash in the Onondaga County Savings Bank	1,500 00
	$2,528 28

The examinations have been conducted as in former years, once every three months, and in five localities in the district simultaneously. The total number of candidates examined (421) shows an increase of sixty-six (66) over the preceding year, and of this total class 185 were passed (as against 154 in 1892), and 236 were rejected (as against 201 in 1892). During the year there have been thirty-one (31) complaints filed with the secretary against infringers of the law, and in four (4) cases the board secured enough evidence to prosecute and convict the offenders, and in each case a fine of twenty-five dollars ($25) was imposed, one-half of which was paid into the treasury of the board. The names of the violators of the law, with the dates of their trial, are as follows, viz.:

June 23, 1892, John Litzendorf, at Honeoye; fine imposed, twenty-five dollars.

June 27, 1892, Chas. Eldridge, at Honeoye; fine imposed, twenty-five dollars.

October 5, 1892, J. W. Bachman, at Hornellsville; fine imposed, twenty-five dollars.

October 13, 1892, S. L. Neier, at Woodside; fine imposed; twenty-five dollars.

As the result of the board's investigations of the complaints three (3) offenders appeared before the board and passed satisfactory examinations; eight (8) placed their stores in charge of duly licensed clerks; three (3) sold their drug stores and one (1) closed up his branch store. The board was unable to take any action in the balance of the cases for the reason that it could not secure any evidence against the alleged violators of the law. During the past year the board has experienced the usual discouraging difficulty in obtaining evidence that it has in previous years, but there is hope that the recent revision of the pharmacy

law will do away with this difficulty in future cases. This revision embraces the suggestion of the board in its last annual report, so that the sale at retail of any drug, medicine or poison, except as already provided for in the revision, constitutes a violation of the pharmacy law.

During the past winter the Legislature enacted a law, known as chapter 250, allowing those persons who could have registered under the provisions of the original pharmacy law, but failed to do so, an opportunity to register; provided they can show good cause for not having registered in 1884. This opportunity has been granted once before since the law of 1884 went into effect, and there can be no good reason for renewing it now. It is, in fact, special legislation not for a class, but for individual cases, and only those who are unable to pass an examination avail themselves of its privileges. Under this law there have been filed with the board eleven (11) applications for license, of which number nine (9) succeeded in getting the Supreme Court to issue orders directing the board to grant licenses to the applicants, while in two instances the court refused to issue orders because it was shown by the board that the petitions were based on fraudulent representations. How many of the petitions, for orders, granted by the court, could all the circumstances have been known, were improper claims, it is impossible to tell, but the inference that a majority are unworthy is but natural. Under the revision of the laws relating to public health, the application of this special act is limited to ninety days from the time of the passage of said revision, and it ceases to be effective in the latter part of August, 1893.

All of which is respectfully submitted.

ALFRED B. HUESTED,
President.

EDWARD S. DAWSON, JR.,
Secretary.

CURTIS H. HASKIN,
Treasurer.

FRANK L. NORTON.

J. CLITHEROW SMITH.

STATE OF NEW YORK.

No. 24.

IN ASSEMBLY,

JANUARY 22, 1894.

COMMUNICATION

FROM THE

Board of Managers of the Thomas Orphan Asylum for Destitute Indian Children.

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, *January* 22, 1894.

To the Legislature:

I have the honor to transmit herewith a communication from the Board of Managers of the Thomas Asylum for Orphan and Destitute Indian Children, addressed to the Governor and the Legislature of the State of New York.

ROSWELL P. FLOWER.

COMMUNICATION.

To the Honorable ROSWELL P. FLOWER, *and the Legislature of the State of New York, Greeting:*

Whereas, The Board of Managers of the Thomas Orphan Asylum for Destitute Indian Children, consisting of Michael Danahy, president; J. H. Schaack, vice-president; Robert McCubbin, secretary; G. C. Carpenter, treasurer; John Sax, Sylvester Lay, A. L. Jimmison, William Cooper, H. D. Paterson, trustees, upon due deliberation, at a meeting held at Gowanda, N. Y., Saturday, December 30, 1893, by said board of managers, the following bill of supplies for the year 1894, was duly recommended:

That the price per capita for the care of orphan and destitute children at the said asylum be increased from $100 per year to $125 per year.

That we do not consider the present allowance enough to properly care for each child as the duties that have been placed upon us by the State Board of Charities of the State of New York, have made it impossible to comply with all their requests upon the allowance heretofore made, the sum being insufficient to properly clothe and fed them and take care of the asylum in proper shape, and after nearly one year's experience, as managers of this asylum, we feel it our duty to ask this increase. There are at the present time 107 children in the institution, whereas the accommodations and appropriations provide for only 100 children; applications for admission are constantly made, but can not be granted, owing to the insufficiency of the appropriation and accommodations.

We further recommend that a competent engineer and superintendent of heating and water supply and of all sanitary work and machinery around said institution be employed at a salary, not to exceed $1,200 per year.

That incompetent employes upon said work destroy more property each year than the above-named salary amounts to.

We further recommend that the sum of $1,000 be appropriated for the salary of a physician and for medicines as we have been obliged to hire experts in a number of cases upon complicatel

diseases, namely, the diseases of the eyes and scrofulous diseases, which largely exist among the children, as recommended by the State Board of Charities.

We further recommend that the salary of the superintendent and matron of said asylum be $1,800 per year, aside from the above-named appropriation, $1,200 for superintendent, and $600 for matron.

We further recommend that the sum of $1,000 be appropriated for the expenses of the board of managers while performing their several duties, to be allowed and paid as follows: That each member of the board of managers shall receive the sum of three dollars per day and mileage for the time actually spent until said sum reaches $100, after which no allowance shall be made.

We further recommend that the sum of $500 be appropriated for new furniture, crockery and cooking utensils, to be used in the asylum proper, the furniture being in poor condition and the crockery and cooking utensils are inadequate for the proper performance of the work.

Recapitulation.

For maintenance of 100 children, at $125 per child, per year	$12,500
For competent engineer, not to exceed	1,200
For superintendent's salary	1,200
For matrons' salary	600
For expenses of board of managers	1,000
For furniture, crockery, etc., for asylum proper	500
For employment of physician and for medicine	1,000
For employment of two school teachers	1,000

To the Honorable Roswell P. Flower, *Governor, and the Honorable Legislative Bodies of the State of New York, Greeting:*

We, the Board of Managers of the Thomas Orphan Asylum, situated upon the Indian reserve, at Varsailles, N. Y., do humbly ask that the foregoing bill of supplies for said institution be passed; that it will in no way be changed from the several named amounts, as we have spent a great deal of time in arriving at the

several estimates and through the recommendation of such competent men as Commissioner W. P. Letchworth, of the State Board of Charities, George J. Metzger, architect for said institution, Dr. J. D. Swetsch, physician for said institution; Aaron F. Bennett, superintendent, now in charge, and from our own personal inspection, have arrived at the conclusion that the several amounts hereinbefore recommended will only be adequate to properly care for the institution, whereupon we cheerfully subscribe our respective names.

MICHAEL DANAHY,
President.

J. H. SCHAACK,
Vice-President.

R. McCUBBIN,
Secretary.

G. C. CARPENTER,
Treasurer.

JOHN SAX,
ALFRED L. JAMISON,
WILLIAM COOPER,
H. D. PATTERSON,
Trustees.

STATE OF NEW YORK.

No. 25.

IN ASSEMBLY,

JANUARY 22, 1894.

COMMUNICATION

FROM THE

COMPTROLLER CALLING THE ATTENTION OF THE LEGISLATURE TO THAT PORTION OF THE REPORT OF HON. FRANK CAMPBELL, WHICH RELATES TO THE TAX ON COLLATERAL INHERITANCES AND LEGACIES.

STATE OF NEW YORK:

COMPTROLLER'S OFFICE.

To the Speaker of the Assembly:

In transmitting to the Legislature the annual report of Hon. Frank Campbell, my predecessor in office, for the fiscal year ending September 30, 1893, I desire to call the special attention of the Legislature to that portion of it which relates to the tax on collateral inheritances and legacies.

The revenue obtained from these sources last year was $3,071,687, or nearly one-fourth as much as was collected from all sources.

Under existing conditions a large revenue will continue to be derived from inheritance and legacy taxes; but a bill is now

pending in the United States Senate, introduced by Hon. David B. Hill, Senator from this State, which, in my judgment, threatens the perpetuity of inheritance taxes in this State. It provides for a United States tax upon inheritances and legacies, ranging from one dollar on the hundred dollars on inheritances devised to relatives, near of kin, to ten dollars on the hundred dollars devised to distant relatives and strangers to the blood of the deceased. I am informed by the clerk who has been at the head of the inheritance bureau in this office for years, that, taking the estates which yielded the $3,071,000 to the State treasury last year, as a basis of calculation, the bill now pending in the United States Senate, if it had been a law last year, would have yielded from eight millions to ten millions of dollars. This, added to the State tax, would make a total of from eleven to thirteen millions of dollars collected from inheritances in this State, an amount practically sufficient to meet all expenses of the State government. This vast amount would render the tax burdensome and odious to the people — conditions which invariably lead to an evasion of a tax.

There is good ground for believing that the passage of a burdensome Federal inheritance tax law would result in a great decrease in the receipts from the inheritance tax in this State, and to the ultimate repeal of the State law. A loss of over $3,000,000 from this source would necessitate a corresponding increase in the general State property tax.

Keenly appreciating the gravity of the situation, I have ventured to call the special attention of the Legislature to the subject, with the view of respectfully suggesting the propriety of action in the direction of asking the representatives of this State in Congress to oppose this proposed law, which so seriously threatens the fiscal affairs of this State.

The propriety of such action can hardly be questioned in view of the fact that from the nature of the case, this Federal tax would be a sectional one, falling most heavily upon the State of New York and other prosperous northern States. The States of Louisiana, Alabama, Virginia and North Carolina formerly had

inheritance and legacy tax laws, but abandoned them on account of their failure to yield any considerable amount of revenue. The yield in Tennessee last year was nothing, as against $3,071,687 raised in this State, of which amount $2,078,278 came from the city of New York, and $346,216 from the city of Brooklyn, thus making it manifest that the Federal tax would be paid by the northern States containing the great cities.

The great depression in trade of all kinds has caused a marked shrinkage in the value of securities of all descriptions. The effect of this is almost certain to be seen in a decrease in the receipts from the tax upon corporations, which fact renders it all the more important that the tax upon inheritances and legacies be guarded with jealous care.

JAMES A. ROBERTS,
Comptroller.

REPORT OF THE TRUSTEES

OF THE

WADSWORTH LIBRARY,

GENESEO, N. Y.,

FOR THE YEAR 1893.

TRANSMITTED TO THE LEGISLATURE JANUARY 15, 1894.

ALBANY:
JAMES B. LYON, STATE PRINTER.
1894.

STATE OF NEW YORK.

No. 26.

IN ASSEMBLY,

JANUARY 15, 1894.

REPORT

OF THE

Trustees of the Wadsworth Library, Geneseo, N. Y.

To the Legislature of the State of New York:

The trustees of the Wadsworth Library, in pursuance of the statute, make the following report for the year 1893:

The amount received for rents and interest on securities shows an income of	$1,226 00
Balance on hand December 31, 1892	273 36
	$1,499 36
The expenses for 1893 have been	$1,364 30
Balance on hand December 31, 1893	135 06
	$1,499 36

All of which, together with the list of property of the library, is fully set forth in Schedule "A," hereto annexed.

A statement in regard to the number of books now in said library will be found in Schedule "B," also hereto annexed.

SCHEDULE A.

December 31, 1893, By cash received from interest on securities and notes	$1,499 36

Contra.

To librarian's salary	$300 00
care of building and grounds	101 00
cost of new books	168 68
binding old books	79 70
gas	61 75
coal — supply on hand	.....
expressage	11 73
repairs	227 12
new heating and plumbing	377 82
furniture	30 00
water rent	6 50
	$1,364 30

Property of Wadsworth Library.

Library lot and building	$12,500 00
Temple Hill grove	1,000 00
Village house and lot	2,000 00
Mortgages	19,500 00
Government bonds, four per cent	100 00
Principal on deposit	910 09
Income on deposit	135 00
Books in library	12,067 00
	$48,212 15

SCHEDULE B.

Number of books in library December 30, 1892.....	11,964
Added during year 1893	100
Whole number	12,064

All of which is respectfully submitted.

CHARLES F. WADSWORTH,
President.

WM. A. BRODIE,
Secretary.

GENESEO, N Y, *January* 1, 1894.

ANNUAL REPORT

OF THE

COMMISSIONERS OF PILOTS

OF THE

PORT OF NEW YORK.

TRANSMITTED TO THE LEGISLATURE JANUARY 17, 1894.

ALBANY:
JAMES B. LYON, STATE PRINTER.
1894.

STATE OF NEW YORK.

No. 27.

IN ASSEMBLY,

JANUARY 17, 1894.

ANNUAL REPORT

OF THE

COMMISSIONERS OF PILOTS OF THE PORT OF NEW YORK.

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, *January* 17, 1894.

To the Legislature:

I have the honor to transmit herewith the annual report of the Board of Commissioners of Pilots for 1893.

ROSWELL P. FLOWER.

REPORT.

To the Governor and Legislature of the State of New York:

The Board of Commissioners of Pilots respectfully report that they have continued to administer the law "for the licensing and government of the pilots and regulating pilotage of the port of New York," and also those for the regulation and preservation of the harbor of New York.

The number of pilot boats at present in service is twenty, and two others are in course of construction to replace boats Nos. 1 and 20, lost at sea.

Three pilots died during the year, three were incapacitated by sickness and dropped from the roll, and one license was revoked for cause. One new license was issued.

Six thousand two hundred and one vessels (inward and outward) were piloted, and the gross earnings of the pilots were four hundred and thirty thousand five hundred and forty-nine dollars and fifty-one cents ($430,549.51).

Nine complaints were made of accidents to vessels while in the care of pilots, none of which were very serious.

On investigation, two cases were dismissed, two are unfinished and due punishment was awarded in the remaining five cases.

Considerable progress has been made by the United States engineers in the work of removing the outlying rocks, extending from the southerly point of Blackwell's island to the foot of Nineteenth street, as also shell reef, between Eighth and Twelfth streets, East river. These rocks were serious obstructions to safe navigation and their abatement is cause for congratulation.

The encroachments beyond the exterior pier line at Ravens-

wood, Long Island, referred to in the last report, were found to be general, and after careful investigation it was deemed best, by the Secretary of War, and the United States engineers, to extend the line outward a few feet, so as to legalize the structures.

Through the attention of the board's outdoor inspector the speedy removal of 172 sunken vessels (mostly small craft) was secured, and the channels were kept clear of shad poles.

Annexed is a statement of the financial transactions of the board:

Cash on hand at last report		$6,816 60
Received two per cent on pilotage earned,	$8,604 30	
Received for licenses	$33 75	
Received telephone tolls	17 20	
	50 95	
Received from Marine Bank	3 29	
Received interest on securities	560 00	
Received from Controller for expenses of harbor laws	3,092 38	
		$12,310 92
		$19,127 52

Paid for rent	$1,000 00
Paid for attendance fees	3,855 00
Paid for salaries	5,050 00
Paid for relief of widows and orphans	1,183 00
Paid toward cost of pilot's Columbus exhibit	500 00
Paid legal expenses	100 00
Paid sundries	566 65
Cash on hand	6,872 87
	$19,127 52

Fund.

Securities at market value	$6,940 00
Cash balance	6,872 87
Due from State (advanced on account Harbor Law),	653 15
	$14,466 02

As this fund is derived from and wholly applicable to the purposes of the pilotage service, the board respectfully asks for the usual appropriation for expenses under the harbor laws.

All of which is respectfully submitted.

AMBROSE SNOW,
President

New York, December 31, 1893.

ANNUAL REPORT

OF THE

PRESIDENT

OF THE

BURNHAM INDUSTRIAL FARM

FOR THE YEAR 1893.

TRANSMITTED TO THE LEGISLATURE JANUARY 15, 1894.

ALBANY:
JAMES B. LYON, STATE PRINTER.
1894.

STATE OF NEW YORK.

No. 28.

IN ASSEMBLY,

JANUARY 15, 1894.

ANNUAL REPORT

OF THE

PRESIDENT OF THE BURNHAM INDUSTRIAL FARM.

CANAAN FOUR CORNERS, COL. CO., N. Y.,
January 15, 1894.

To the Legislature of the State of New York:

In conformity with section 11 of the act of incorporation of the Burnham Industrial Farm, passed May 12, 1886, I beg leave to inclose the statement required by that section.

Very respectfully yours.

FRED. G. BURNHAM,
President.

NAME.	Age.	Residence.	Occupation.	State of education.
Acker, Edward	15	New York city	Farm, dairy	Poor.
Adler, Christian	17	New York city	Baker	Fair.
Anderson, Edmund	16	New York city	Laundry	Good.
Anderson, Horace	18	Troy, N. Y	Barn	Fair.
Abbott, Percy	14	Albany, N. Y	Housework	Fair.
Backert, Phillip	15	Buffalo, N. Y	Barn	.....
Barnes, Orson	21	Baldwinsville, N. Y	Farm	Poor.
Barrett, William	16	Buffalo, N. Y	Wood-house	Good.
Bates, Clare	14	Oswego, N. Y	Housework	Good.
Berry, Calvin	12	Morristown, N. J	Dining-room	Poor.
Blumer, Jacob	16	Brooklyn, N. Y	Dining-room	Good.
Brockum, George	13	West Troy, N. Y	Knitting shop	Fair.
Brockum, Mortimer	15	West Troy, N. Y	Housework	Good.
Bull, Oran	17	St. Louis, Mo	Laundry	Good.
Bush, James A	18	Brooklyn, N. Y	Farm	Good.
Byrd, Robert	13	Buffalo, N. Y	Dormitory	Fair.
Collins, Charles E	17	Glens Falls, N. Y	Care of stoves	Fair.
Coleman, John	15	Kingston, N. Y	Housework	Good.
Cornwell, Frank	17	Philadelphia, Pa	Care of lamps	Good.
Currie, John	12	Brooklyn, N. Y	Dining-room	Good.
Danelson, Robert	15	Waterbury, Conn	Dining-room	Good.
Davids, Benj	15	Brooklyn, N. Y	Storekeeper's assistant	Good.
Doty, Joseph	20	Brooklyn, N. Y	Baker	Good.
Erickson, Adolph	15	Springfield, Mass	Farm	Fair.
Fiske, Harry	17	Brooklyn, N. Y	Farm	Fair.
Ford, Arthur	13	Poughkeepsie, N. Y	Messenger	Good.

Fredericks, Charles	18	Brooklyn, N. Y	Office	Good.
Felts, George	11	New York city		Good.
Furman, Oliver	18	East Albany, N. Y	Farm and electrician	Good.
Gannon, William	18	Morristown, N. J	Farm	Poor.
George, Colbert	14	Denver, Col	Farm	Poor.
Gloster, Joseph	18	Brooklyn, N. Y	Lavatory	Good.
Glynn, Alfred	15	Amherst, Mass	Tailor	Good.
Goddard, George	18	Missouri	Farm	Good.
Grant, William	16	New York city	Vegetable department	Good.
Hall, George	14	Brooklyn, N. Y	Dining-room	Fair.
Harlow, John	14	Buffalo, N. Y	Dormitory	Fair.
Hicks, Horace	18	New Rochelle, N. Y	Office	Good.
Hinchey, Patrick	18	Hudson, N. Y	Tailor	Good.
Hood, Paul	14	Buffalo, N. Y	Laundry	Good.
Hull, Stewart	15	Brooklyn, N. Y	Farm	Good.
Hyde, John	14	Springfield, Mass	Vegetable department	Fair.
Jamison, Frank	17	Cleveland, Ohio	Carpenter	Good.
Johnson, Cleveland	17	Buffalo, N. Y	Farm	Fair.
Jones, Eugene	17	Dallas, Texas	Blacksmith	Good.
Johnson, William	12	Morristown, N. J	Messenger	Good.
Koehler, Louis	13	Perth Amboy, N. J	Farm	Fair.
Leonard, Robert	15	Brooklyn, N. Y	Librarian	Good.
Lewis, Daniel	9	Kingston, N. Y	Messenger	Good.
Lewis, Willie	9	Buffalo, N. Y	Farm, messenger	Good.
Lourie, Charles	18	New York city	Dining-room	Good.
Lozier, Joseph	15	New Brunswick, N. J	Broom shop	Fair.
Mace, Elliot	15	Brooklyn, N. Y	Care of chapel	Good.
Maynard, George	15	Dallas, Texas	Family attendant	Good.
McMichael, Reginald	15	Toronto, Canada	Farm	Good.
Morgan, Chas	17	Buffalo, N. Y	Farm	Fair.
Morton, Max	17	New York city	Dormitory	Good.

Boys in Custody, Etc. — (*Continued*).

NAME.	Age.	Residence.	Occupation.	State of education.
Neber, John	16	Buffalo, N. Y.	Farm	Good.
Naylor, Harry	11	New York city	Messenger	Fair.
Ogden, Carl	17	Buffalo, N. Y.	Printing office	Good.
Patrick, Charles	14	Green Island, N. Y.	Office	Fair.
Perrin, Frank	20	Brooklyn, N. Y.	Carpenter	Good.
Peterson, Athel	16	Brooklyn, N. Y.	Carpenter	Good.
Pratt, Carl	16	Williamstown, Mass.	Farm	Good.
Quinn, Edwin	15	Brooklyn, N. Y.	Office	Good.
Reed, Alfred	17	Wassaick, N. Y.	Farm	Poor.
Rhea, Oscar	17	Burlington, Iowa	Farm	Good.
Roller, Charles	18	Newark, N. J.	Vegetable department	Good.
Rushbrook, William	18	New York city	Dairyman	Good.
Schroeder, William	17	Brooklyn, N. Y.	Farm	Fair.
Shelly, Sidney	14	New York city	School-room	Poor.
Slade, Frank	13	Brooklyn, N. Y.	Office work	Good.
Snow, John	14	Tuskaloosa, Ala.	Printing office	Good.
Stower, Bertrand	16	Hudson, N. Y.	Knitting shop	Good.
Suor, John	13	Buffalo, N. Y.	Dining-room	Fair.
Toone, Harry	19	New York city	Painter and musician	Good.
Viviven, Frank	17	Hoboken, N. J.	Painter	Good.
Wadleigh, Harry	18	Albany, N. Y.	Foreman knitting shop	Good.
Walker, David	15	New York city	Knitting shop	Fair.
Waterbury, Loomis	18	Hudson, N. Y.	Knitting shop	Poor.
Wilson, Edward	15	Buffalo, N. Y.	Knitting shop	Fair.
Wright, Mitchel	16	East Orange, N. J.	Knitting shop	Poor.
Webster, Matthew	16	Buffalo, N. Y.	Bugler, office	Fair.

Wheeler, Leonard	16	Brooklyn, N. Y	Farm	Good.
Williamson, Archibald	16	Mt. Vernon, N. Y	House attendant	Good.
Willis, Harry	15	Albany, N. Y	Tool-house	Fair.
Wulff, Harry	17	Morristown, N. J	Farm	Good.
Yerks, Leon	16	Buffalo, N. Y	Farm	Good.
Barnett, Percy	13	Brooklyn, N. Y	Laundry	Good.
Ehart, Almont	12	New York city	Hospital	Good.
Abrahamson, Chas. A	15	Morning Sun, Iowa	Blacksmith	Good.

There was received during the year beginning October 1, 1892	$15,540 19
There was expended during the same year	19,483 77
Leaving an indebtedness of	$3,943 58

In behalf of the board of directors.

FRED. G. BURNHAM,
President.

STATE OF NEW YORK.

No. 29.

IN ASSEMBLY,

JANUARY 23, 1894.

REPORT

OF THE

ADJUTANT-GENERAL IN REPLY TO A RESOLUTION PASSED BY THE ASSEMBLY JANUARY 22, REQUESTING THE AMOUNTS EXPENDED EACH YEAR SINCE 1870 FOR COPYING MUSTER-ROLLS OF NEW YORK REGIMENTS IN THE WAR OF THE REBELLION.

GENERAL HEADQUARTERS, STATE OF NEW YORK:

ADJUTANT-GENERAL'S OFFICE,
ALBANY, *January* 23, 1894.

Hon. GEORGE R. MALBY, *Speaker of the Assembly, State of New York:*

Sir.—I have the honor to acknowledge the receipt to-day of a copy of the resolution passed by the Assembly the twenty-second instant, requesting the Adjutant-General to report the amount expended each year since 1870, for copying the muster-rolls or lists

of men in the different New York regiments or companies in the War of the Rebellion, and I respectfully report as follows:

For Copying Muster-out Rolls in the Office of the Adjutant-General.

During the years 1870 to 1874 there were no appropriations made for this purpose.

Chapter 634, Laws of 1875, appropriates for services of extra clerks to copy muster-out rolls of volunteers, $5,000. Chapter 193, Laws of 1876, appropriated for services of extra clerks employed in copying muster-out rolls of volunteers, $6,000. Chapter 275, Laws of 1877, appropriated for services of clerks employed in copying the muster-out rolls of volunteers, $8,000. Chapter 252, Laws of 1878, appropriated for services of clerks employed in copying the muster-out rolls of volunteers, $8,000. Chapter 272, Laws of 1879, appropriates for services of clerks engaged in copying the muster-out rolls of volunteers, $6,000. Chapter 549, Laws of 1880, appropriates for services of clerks engaged in copying the muster-out rolls of volunteers, $7,200.

These appropriations aggregate the sum of $40,000, all of which seems to have been expended with the exception of sixteen dollars and fifty-six cents.

For Copying Rolls and Records on File in the War Department, Etc., and Not Found in This Office.

Chapter 259, Laws of 1884, appropriated, "to cause copies to be made of all military records relating to New York volunteers in the War of the Rebellion on file in the office of the Adjutant-General of the United States, etc.", $10,000, of which amount nothing was expended, as no arrangement could be made with the War Department at the time.

Chapter 51, Laws of 1887, authorized the Adjutant-General "to procure copies of military records relating to New York volunteers in the War of the Rebellion, not on file in his office, from the proper departments of the general government," and appropriates $10,000.

Chapter 247, Laws of 1887, authorized the Adjutant-General to complete the records of New York volunteers by all reasonable ways and means, etc., and appropriates $10,000.

Chapter 570, Laws of 1889, authorizes the Adjutant-General to "procure the still missing records of New York volunteers to prepare such for publication," and appropriates $10,000.

Under these last three named appropriations, which aggregate $30,000, arrangements were made with the War Department, to furnish records of New York volunteers, the State paying for the extra services of the department clerks, and the work was thus continued until October, 1891, when the War Department discontinued the work and refused to make any other or further arrangement. Of these appropriations there was expended in this manner $22,969.36.

For Completing the Records of Organizations, Officers and Enlisted Men.

Chapter 726, Laws of 1893, appropriated the sum of $25,000 "for copying and completing the personal records of the regiments, companies, troops and batteries, etc., preparing blanks therefor, and for printing and binding the same in book form, and to acquire the copyright and plates of the work 'New York in the War of the Rebellion.'"

After consulting with three prominent publishing firms, as to the value of the copyright and plates of the work referred to, I purchased the same and also about 800 unbound copies of the book for less than the sum named by any one of the publishing firms, namely, for $5,000, being the sum appropriated, as I was informed, for this purpose.

As soon as I could make the necessary arrangements, I employed clerks, under the provisions of chapter 726, and commenced the work therein specified, and have so far, up to December 31, 1893, expended in the prosecution of this work, $4,298.17.

It will be observed that appropriations were made, first for making copies of only the muster-out rolls on file in this office (not of the muster-in, pay and individual rolls); second, for obtaining copies of records not on file in this office; and third, for com-

pleting the personal history of organizations and officers and enlisted men, and preparing them for publication.

The total expenditure, therefore, with a view toward preserving and completing the records of New York volunteers and volunteer organization of the War of the Rebellion, from 1870 to December 31, 1893, appears to have been:

For copying muster-out rolls	$40,183 44
For obtaining missing records	22,969 36
For the history of the State and volunteer organizations in the war, completed	5,000 00
For completing the history of individual volunteers	4,298 17
Total	$72,450 97

It will not be out of place to explain in as few words as possible the work being done at present in this office. The records of a company are taken; the name of each member is placed on a blank, and every paper on file is examined for the man's name and service, and every entry found is transferred to the blank; should the man have been transferred, he is followed in the records of other companies, and this is continued until the records show him discharged, died, deserted, or no further account be found of him. The records of the members of the regiments having thus been completed, they are all laid in alphabetical order, and as much as will give a succinct history of the man is copied for printing later. This is a work which requires time and patience, and, if not done, the State will be, in course of time, without records of the War of the Rebellion, as it is now of former wars of the United States in which New York volunteers took part, beginning with the Revolution. It is a work of great magnitude, the records of over 500,000 enlistments furnished by this State having thus to be completed, and will cost, at least, $250,000. The work done from 1870 to 1881 has not contributed anything toward the work now in hand, for that was purely making copies of muster-out rolls which were on file, but had this not been done, the original muster-out rolls copied then would now be unserviceable.

As regards the history of "New York in the War of the Rebellion," now the property of the State, I desire to say that, while almost every State has something of this kind, there is none as complete, giving in such small compass all the salient features of the history of the State and her volunteer organizations, being a veritable compendium of the State in the War of the Rebellion. It has stood the test of criticism for three years, and but few errors of facts have been brought to the notice of the author, and these have been corrected by him in the plates. Had this work, based not only on records on file in this office, but also on those on file in the War Department, been undertaken by the State, I question if it could have been done for $25,000. I desire further to say on this subject, that it is proposed to make this history the first volume of the publication contemplated by chapter 726, Laws of 1893, and that several States have furnished to each of their volunteer soldiers a copy of similar histories of their respective States free of charge.

The Adjutant-General of the State of Ohio informs me that the expense of completing the "Roster of Ohio Volunteers" will be about $170,000, and this State is credited with about 313,000 enlistments during the war. The State of Pennsylvania paid for a compilation similar in nature to "New York in the War," $25,000, and for printing the same $100,000. The State of Massachusetts is now engaged in preparing a record of its volunteers and volunteer organizations for the second time. The State of Connecticut has had compiled and published a "Record of Connecticut men in the War;" in fact, most of the Northern States have had this done or are doing it.

It will be seen on reading the foregoing that, while I have fully complied with the request of the resolution, I have also reported facts not therein called for, and I respectfully explain that I have done so, believing that it was the desire of the Assembly to be fully informed as to whatever had been done by the State to compile and preserve the records of its volunteers.

The rolls and records of our volunteers filed in this office are in constant use and demand, and by constant handling have

already become much impaired. That they should be carefully preserved, and missing records supplied, there can be no question. It is believed that the method adopted is the best that can be devised, for it not only preserves but completes them, and provides for a critical examination, comparison and correction of the records of all the officers and enlisted men who represented the State in the War of the Rebellion, and finally for their publication in enduring form. As the officer of the State having charge of these records, I deem it my duty to urge that suitable appropriations be made from time to time as they may be required, in order that the work may be prosecuted without intermission until it is completed.

Very respectfully your obedient servant,

JOSIAH PORTER,
Adjutant-General.

STATE OF NEW YORK.

No. 30.

IN ASSEMBLY,

JANUARY 2, 1894.

PROCEEDINGS AND TESTIMONY

IN THE

MATTER OF THE HEARING BEFORE THE ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS.

To the Assembly of the State of New York:

The petitioner respectfully shows to your honorable body:

First. That at the last general election, held November 7, 1893, he was the Republican candidate for Member of Assembly in the sixteenth Assembly district of Kings county, N. Y., which embraces the twenty-fourth (24th), the first (1st) to the nineteenth (19th) districts, both inclusive, of the twenty-fifth (25th), the first (1st) district of the twenty-sixth (26th) wards, all in the city of Brooklyn, and the towns of Flatlands and Gravesend of Kings county.

Second. That James Graham was the Democratic candidate in said district at the same time, and was awarded the certificate of election by the State and county boards of canvassers.

Third. That the official canvass made by the said boards of canvassers of the votes returned as having been received by the respective candidates shows that the total number of votes cast for said office was fifteen thousand two hundred and fifty-one

(15,251), of which James Graham is recorded as having received seven thousand two hundred (7,200), and William H. Friday six thousand seven hundred and eighty-three (6,783), and other candidates one hundred and forty-nine (149), and blank or defective one hundred and nineteen (119.)

Fourth. That in the said Assembly district your petitioner received, according to said official canvass, outside of the town of Gravesend, six thousand six hundred and twenty-one (6,621) votes, and the said James Graham three thousand six hundred and ninety-five (3,695) votes.

Fifth. That the town of Gravesend aforesaid is divided into six election districts; that the vote, as returned from said town, is as follows:

	James Graham.	Wm. H. Friday.
First district	390	51
Second district	1,502	10
Third district	851	13
Fourth district	360	10
Fifth district	195	32
Sixth district	207	46
	3,505	162

That as shown by the above copy of the official returns, the said James Graham is reported to have received in the second district of said town fifteen hundred and two votes (1,502); that in the third district the said James Graham is reported to have received 851 votes.

Sixth. That petitioner further alleges, and refers your honorable body to the affidavits and other papers now of record in the Supreme Court of Kings county, and on file in the county clerk's office of said county (said affidavits having been presented in a certain proceeding for an injunction in behalf of William J. Gaynor against John Y. McKane et al.), that in the second and third districts in the town of Gravesend, there was a false and fraudulent registration, a fraudulent and illegal poll of votes, and a false and illegal canvass of the votes; that a conspiracy existed between the said John Y. McKane, chief of police and supervisor of the

town, and one Stratton (said Stratton being the Republican executive representative), the object of such conspiracy being to deprive the Republican party and the legal voters of the town of Gravesend and the sixteenth Assembly district, of Kings county, of a free exercise of the right of franchise, to destroy the purity of the election, to provide for a fraudulent majority for the said James Graham and other Democratic candidates, and to prevent the election of your petitioner and other candidates for the Republican party; that the true state of affairs relating to the said registration, election and conduct of the same can be best presented in the following opinion of Chief Justice Barnard of the Second Judical Department of the Supreme Court of New York, which is as follows:

"People ex rel. Wm. J. Gaynor vs. John Y. McKane et al. Gravesend, a town of Kings county, had, in 1892, eight thousand four hundred and eighteen (8,418) inhabitants, as shown in the State census of that year. This population would call for a registered vote of one thousand six hundred (1,600). This registry number agrees with the vote of the town substantially for years before the census was taken. In the fall of that year the vote of the town was returned at over three thousand (3,000).

"In the fall of 1893 the registry arose to six thousand two hundred and sixteen (6,216). The plaintiff, who was a candidate for an important office to be voted for at the November election in 1893, applied to the inspectors of election for copies if the lists in each of the six districts of the town which all voted in one building. The application was unsuccessful.

"The plaintiff applied to this court for its aid in compelling the production of the lists, so that the plaintiff could copy them. The court instructed the inspector as to the right of the plaintiff to have copies of the lists, but that his right was no greater than the right of other citizens. The inspectors were again applied to by persons acting for the plaintiff in sufficient numbers to copy the lists with due speed, if the lists were produced.

"The instruction by the court was used by the inspectors to baffle the plaintiff. Persons who were apparently employed in copying the lists refused to give them up or to permit copies to

be made simultaneously with these pretended copyists, for it is fully established that no real copy was being made.

"The lists were not posted. The inspectors could not be found. The combination to prevent the publicity of the lists included the entire body of the inspectors of election. The defendants have made an issue as to the conduct of the plaintiff's copyists. The issue is of no importance under the view of the case presented to the plaintiff. He did not, he could not, get the lists. His agents say they asked for them in a civil, becoming manner. The defendants say the request was made rudely, and without that self-control which should prevail among persons transacting business together. This great fact is uncontradicted. The lists were not given, whether the request was made rudely or politely.

"The plaintiff's case, thus made, shows that a registry of the voters of the town was made which justified the inference of fraud; which did more, it proved it. The law providing for a registry designed a minority representative in the board of inspectors. It called for publicity of the lists. By reason of the faithlessness of the whole board of registry the security to the candidate failed.

"Neither the names of this fraudulent registry nor the places of residence could be obtained. An election board made up of these inspectors would be no protection to the minority candidate. Under these circumstances, the plaintiff applied to this court for its aid.

"The party watchers, on the part of the Republican party, became the object of suspicion, although appointed by the regular authority in such cases. The plaintiff made application for other watchers which were appointed.

"All the remedy left to the plaintiff was to have faithful watchers left at the polls. Violence had been used to drive away the copyists, and violence was anticipated to drive away the watchers. Upon proof of the facts, above detailed, an injunction was granted restraining the defendants from interfering with these watchers, so clothed with the power of appointment from the Republican organization.

"No attempt was made to interfere with the watchers previously appointed, although it is claimed, under the fact, as proven

by the affidavits, that they were not designed to watch in the plaintiff's interest, or in the interest of the Republican party, which had nominated him for office.

"The bill of complaint was proper for the plaintiff and all persons similarly situated or without adequate remedy. A case of combination and conspiracy was established in respect to the registry, and violence had been used seemingly to prevent persons from putting themselves where the illegal acts could be seen and reported, and the illegal result prevented.

"Equity has the power to aid the plaintiff in giving its protection to agents having a lawful purpose in view, and one protected by a possible law and needed to give him a fair vote. Under the proof a final judgment, judgment could be anticipated that the registry was fraudulent; that the inspectors conspired to make it fraudulent, and to that end suppressed the publicity of the list; that watchers first appointed were appointed for fame only, and that they should have retired when their successors appeared with the authority of this court, if such an act was needed, but they could remain without offense to the injunction.

"It was not within the power of the defendants to question the authority of the injunction order. If the courts had jurisdiction of the subject its order must be obeyed. (Peo. ex rel. etc., Co. v. Van Buren, 136 N. Y., 252.)

"Was the order disobeyed, and by whom? Here the proof is overwhelming in favor of the disobedience, first of Mr. McKane. He was the chief of police of the town. He met the carriage in which William A. S. Bacon and others were carried to the town hall; and, upon Mr. Bacon alighting from the carriage, stated to him that he had been expecting him. Upon being told that he was under protection of an injunction, Mr. McKane stated that injunctions do not go, and ordered Bacon's arrest.

"He was beaten, confined in a cell, and suffered indignity upon indignity. Mr. McKane denies this, but the treatment of Mr. Bacon is not denied, and Mr. McKane was chief of police. Mr. Bacon is supported by his companions in the carriage; the evidence is so clear and conclusive, that Mr. McKane had been the controlling power, and in all the preceding evils which had been done; and the police had been so ready to arrest on his order

without offense that he stands as one of the conspirators against the election laws, if not the chief of the conspiracy.

"It is natural that his act on the election morning would be in accordance with his previous acts. He knew of the injunction order and defied it; and he must be adjudged guilty of a criminal contempt. The complaint shows that Richard V. B. Newton met a Mr. Grout, who was riding in a carriage toward the polling places, with the watchers some 150 feet from the town hall. He was told that the men were under protection of an injunction; but he defied the order and would not let the party proceed further.

"A policeman then threatened to club Mr. Grout if he went further. Mr. Newton's conduct on this occasion was only a continuation of his previous conduct, as he had been very active in preventing the publication of the lists, notwithstanding he is a justice of the peace of the town.

"The affidavits of the person who accompanied Mr. Grout fully sustains his statement and there is not any doubt as to the fact that Mr. Newton violated the injunction and should also be adjudged guilty of a criminal contempt.

"The three inspectors of election, Johnson, Crandall and Cropsey, are guilty of a criminal contempt for violation of the injunction order.

"One, Rosenback, appeared at the polling place and told these inspectors that he had an injunction order to serve. He started to produce copies and was immediately attacked from every direction.

"He threw the papers on the table in front of the inspectors. He was beaten, thrown down, arrrested by a policeman and locked up.

"The inspectors subsequently signed a warrant for this arrest. The arrest was, therefore, presumably made at their direction, in defiance of the injunction.

"The vote of the town was over 3,600, which calls for a population of some 18,000 inhabitants. Upon a registry which calls for over 30,000 inhabitants, what shall the punishment be?

"An extreme case is made; a combination which included the registry board, the watchers first appointed, and the police through its chief, is established against the purity of an election.

"There was false registry; there was illegal refusal to make it public. The copyists had been arrested and put in cells without the least criminal act on their part, and the friends and watchers of those who were interested in the vote were illegally arrested, beaten and imprisoned by the inspectors and the police acting with them, to accomplish a result injurious in the highest degree to popular sovereignty, which rest on a fair vote, a fair count of the vote and a rigid respect to the count thus given. The extreme punishment provided by the law must be imposed for such an offense thus brutally carried out.

"The accused are fined each $250 and imprisoned thirty days in the county jail of Kings county."

Eighth. That for specific objections to the seating of the said James Graham, petitioner recites a few of such instances mentioned aforesaid, to wit:

I. That in the second district of the said town there was a registration of two thousand four hundred and eight (2,408) names reported, and a certified vote therein of one thousand five hundred and twelve (1,512); that it is a physical impossibility, during the entire legal election day, for any set of men numbering ten, twelve hundred or fifteen hundred, to present themselves at a single polling place, announce their names, receive a set of ballots, pass on, and, immediately returning, singly deposit one of said ballots in a single ballot-box until the number of ballots so deposited shall number fifteen hundred and twelve (1,512); that it is also a physical impossibility to deposit, with due regard to the legal formalities required, within the hours during which ballots may be legally cast, the number of votes cast in the third election district of said town, as the certified returns show; that in these two districts of said town the votes, as certified by the election officers, consisted, in part, of ballots cast before the polls were legally opened by some person or persons unknown to petitioner, such ballots being cast in bulk, in part of ballots cast by non-residents, floaters and repeaters, and a small remaining part by persons, residents of said town, who feared to exercise a free and untrammeled choice, by reason of the cast-iron dictation of the said John Y. McKane.

II. That the poll-list of the said second district of the said town, upon examination, discloses the fact that persons presented themselves at the polling place and voted in numberless instances in alphabetical order, the usual combination being three in such order, then another voter and interloper from another part of the alphabet, then following in proper array another combination of three in alphabetical array; that persons bearing names beginning with the first letter of the alphabet, who registered in said town, all appeared at said polling place and voted; that the same is true as regards persons whose names begin with "Y;" that petitioner is informed and believes that the sole explanation of the phenomenon is, that the officers of election in said district, during the progress of said election, copied from the registry lists into the poll-book, such names as were most accessible, and exercising their personal discretion as to the names, irrespective of the presence or absence at such polling place of the actual owner of the various names copied as aforesaid.

III. On information and belief that the canvass made in the second district of said town was devoid of any regard to the wishes of the legal voters in said town and district as indicated by the respective ballots cast by such voters, the petitioner is informed and believes that the said canvass was completed in so brief a period of time as to be utterly unreliable as a true statement of the actual vote in said district, and that a resident of said town has informed your petitioner that the canvass in the said second district was completed sooner than that of the fourth district in said town.

IV. That the registry list in the said second and third districts as compiled and filed in the town clerk's office, consisted for the most part of names of persons who worked in said town for a brief time during the summer months only as waiters, bartenders and divekeepers.

V. That in the town of Flatlands as petitioner is informed and believes, there were one hundred and eighty-one (181) illegal votes cast by persons who represented themselves as residents of Barren Island, a part of said town; that there are sixty-five legal voters on the said island who voted at the said election,

and two others who failed to vote; that the above-mentioned illegal voters proceeded to Flatlands by trains, and afterward appearing at the polling places in wagons as though just from Barren Island, voted.

VI. That as petitioner is informed and believes there were other illegal and fraudulent votes cast in that part of the said Assembly district, which is in the city of Brooklyn, but that in view of the overwhelming mass of evidence heretofore indicated, petitioner has not deemed it advisable to ask your honorable body to further investigate the election in said district.

Wherefore, your petitioner prays that the certificate of election awarded to the said James Graham declaring him to be elected Member of the Assembly for the Sixteenth (16th) Assembly District of Kings county, New York, be canceled and set aside and declared void, and your petitioner adjudged duly and legally elected to the said office.

Dated, Brooklyn, N. Y., December 30, 1893.

GEORGE F. ELLIOTT, Esq.,
Counsel for Contestant.
Office and P. O. address, 26 Court street, Brooklyn, N. Y.

CITY OF BROOKLYN, County of Kings, } *ss.:*

Charles Murch, being duly sworn deposes and says, that he resides at No. 599 Macon street; that he accompanied William H. Friday, Republican candidate for Assembly in the Sixteenth Assembly District of Kings county, New York, during the canvass made by the said William H. Friday, in the town of Gravesend, while a candidate in said district; that on October 22, 1893, we called at Richard Garms' Surf Hotel, adjoining Culver's Railroad depot, Coney Island, also at Doyle's Hotel, and were there introduced to several conductors, brakemen, and other employes of Culver's Railroad Company; said employes stating to us that they would vote for Mr. Friday, but must do it "on the quiet," as it would mean a loss of their position if McKane got hold of it, and that they did not think that whatever vote Mr. Friday received

would be counted for him;" that deponent and Mr. Friday went then to the residence of Joseph Goodfellow, with whom deponent is well acquainted, and was by him introduced to several residents of Gravesend, who, in turn, introduced others; that when the question of Mr. Friday's election was mentioned, they said they would like to help him, and asked if he could not "fix it;" that they then called at other hotels, being received well everywhere, but that everywhere they went, the people seemed to think that unless McKane was with Mr. Friday, his canvass would amount to nothing; that Mr. Friday remarked to deponent, at this time, that he believed it would be difficult to obtain an honest count in Gravesend; that on October twenty-fifth, deponent and Mr. Friday made another tour of the town, and posted lithographs, distributed circulars and small cards, talking with many people, with about the same result as on the first visit; every body with whom we talked seemed to fear McKane, and looked to him as the arbiter of their political fortunes; that on October twenty-sixth, deponent and Mr. Friday visited Fairlawn and Unionville, leaving lithographs at the hotels and stores; talking with many voters, many of whom promised to vote for Mr. Friday, but said they would have to do it "on the quiet;" that on October twenty-ninth, deponent and Mr. Friday stopped at Kreyer's Hotel on the Kings highway, meeting John G. Kreyer and son, and others; that Mr. Kreyer promised that Mr. Friday would receive seven votes from his hotel; that this was the only public house at which deponent called where the McKane influence did not predominate; that we visited the above-mentioned Goodfellow again, who seemed almost afraid to be seen talking with us; Mr. Friday noticed this and asked him what was the matter, he said, "I feel like doing all I can for you Bill, and will do so, and all my family, but they would burn my house down if it was known, but you will get all the votes in our family anyhow;" thanking him we left to go to what is termed "The Bowery," were everything was securely locked up for the winter season; most of the cottages were locked up; there was a general air of desolation; that deponent believes at that time, and Mr. Friday agreed, that there were not 1,000 voters in the whole town; that we found one place, a saloon about twelve by

twelve feet square, with the front doors wide open; proprietor said he would vote for Mr. Friday, but to "keep it quiet" or they would take away his license; that deponent and Mr. Friday called at the hotels and stores where lithographs had been posted, and found that they had been torn down; that the proprietors, when we protested against this, stated that they were afraid to leave them up, but expressed friendship for Mr. Friday, and promised to vote for him "on the quiet;" that we visited Kronika's Hotel, at Sheepshead bay, finding the bar and billiard-room crowded; that a gentleman who knew Mr. Friday, and belongs to an order of which he is a member, introduced him to everyone, and all expressed the hope that he would win. "Can't you get McKane with you?" was freely asked; to which Mr. Friday responded, "That he was running on his merits, and would be glad to have their vote;" they said it was equivalent to starvation to do anything against McKane; that he, McKane, would resort to any means to punish all who did not do as he dictated; that a prominent office holder in Gravesend said, "It would be a hell on earth to go against McKane, but we will get a chance to jump on him yet; every dog has his day;" that such expressions were freely used throughout the entire canvass made by Mr. Friday, many persons, however, assuring him that they would vote for him "on the quiet;" that on November first, deponent and Mr. Friday made another tour of Gravesend, replacing lithographs where they had been torn down; that we visited hotels, saloons and houses with the same results, as on previous visits; that one, William Cox, of the twenty-fifth ward, on hearing what deponent and Mr. Friday were doing in Gravesend, advised Mr. Friday to take his time, saying that no matter what votes were received they would not be counted; that he worked for McKane and knew what he was talking about; that on November fourth, deponent and Mr. Friday again visited Gravesend, going over the same ground, and distributing pasters; that on November fifth, deponent and Mr. Friday again visited Gravesend, called on Mr. Goodfellow above mentioned; that we asked him to advise against any contemplated fraud he might hear of as the people of Brooklyn would take

measures to arrest illegal voters; that Mr. Goodfellow again assured us of his desire to openly support Mr. Friday if he dared, but that if he did he would never again receive work and could not reside in Gravesend, his wife remarking, "Yes; they would burn our house down;" that we visited many other places on November fifth, and found that the feeling of fear was much stronger, some of the residents seeming afraid of being seen talking politics; that when opportunity occurred, however, many residents quietly assured us that "they were sick of McKane, but dare not come out as it would injure their business or chances of employment;" that deponent never witnessed so much awe or terror of any one man as was displayed during the entire canvass by the residents of Gravesend, regarding John Y. McKane; that we visited O'Connor's Hotel, at Gravesend, the proprietor greeting us pleasantly, and saying, "You are not looking for votes here, are you?" We said we were. "Save your time and money," said he. "If McKane says the word, you can have the votes, but you will never know you were running, if he doesn't." "Why are you all so afraid of McKane," we asked. "Well, you know how it is," said he; "I own these four lots, including the saloon and sheds. My taxes are $131. Why, if we did not support McKane, my taxes would be double. Anyhow, I'm a Democrat and have no use for you Republicans, and you have a good deal of 'nerve' to come down here, I'm telling you." "You'll get no votes here. They'll all do just as McKane says, you can bet your life on that, but you have a good deal of spunk, and I like you for that." Mr. Friday remarked that he would be there on election day, and O'Connor said: "On your life never show yourself here on election day;" that on Sunday, November fifth, deponent and Mr. Friday were at Gravesend, and then witnessed a most marvelous transformation, the previous scene of desolation and "innocuous desuetude" having become, and at that time undergoing mysterious changes, a scene of ceaseless activity; from all directions individuals, bearing the marks of floaters and bummers, entered the town as if by magic; visible, loafing against fences, barns and in the bar-rooms, they presented the first sign that Gravesend was replete with voters; that deponent and Mr.

Friday, on December seventeenth, with the purpose of again meeting the last above mentioned magic voters of Gravesend, visited the town and made a complete tour of all places presenting any sign of life or being; that we found another transformation had occurred; again the desolation, which had existed prior to Sunday, November fifth; the magic voters had disappeared; that this being the seventh tour through Gravesend, deponent is convinced that, with the exception of the 5th, 6th and 7th days of November, 1893, there were not 1,000 voters in the entire town; that on November seventh (election day) deponent and Mr. Friday proceeded to Gravesend and, on leaving the carriage, met John Y. McKane, who said: "I am not hurting you, but I want to down that man Gaynor;" that we looked around for watchers, having heard that there would be a number at Gravesend from Brooklyn, but were unable to find them; that we were informed that the watchers had been there but were all arrested; that we found only one watcher of the Republican party, who wore a blue badge reading, "Executive Member, Kings County;" that Mr. Friday addressed him, believing him to be Mr. Stratton, Gravesend representative on the Republican county committee; that the said Stratton remarked "that there was no use of our coming there, everything was McKane, they would not count a vote for Friday anyhow;" that we visited all six districts, leaving pasters in each one, but saw no line of voters in the first district while we were there, about 10.30 a. m.; that the aforesaid magic voters of Gravesend were led to the polls, voted and driven away like cattle; that deponent is convinced that from what he saw during the several trips made to Gravesend, prior to and on election day, that there were not even, including the imported voters, 1,500 voters in the entire town.

CHARLES MURCH.

Sworn to before me this 23d day
of December, 1893.

FREDERICK FISHER,
Commissioner of Deeds, City of Brooklyn.

CITY OF BROOKLYN, } ss.:
COUNTY OF KINGS. }

William H. Friday, being duly sworn, says he is the petitioner in the above entitled proceeding, that he has heard read the foregoing petition and knows the contents thereof; and that the same is true of his own knowledge except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

WM. H. FRIDAY.

Sworn to before me this 30th day
of December, 1893.

FREDERICK FISHER,
Commissioner of Deeds, City of Brooklyn.

MATTER OF THE HEARING BEFORE THE ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS.

BROOKLYN, *January* 6, 1894.

Before Philip Keck, chairman, Fulton and Hamilton counties; Wesley Gould, Delaware county; John C. Harrigan, Westchester county.

Joseph Bauer, Rochester, sergeant-at-arms; John A. Cole, messenger.

The following causes were presented to the committee, the counsel in each of these causes stating that they were ready to proceed:

IN THE MATTER OF THE ELECTION CONTEST IN THE SEVENTH ELECTION DISTRICT, STILLMAN F. KNEELAND, CONTESTANT, AGAINST WILLIAM HUGHES, CONTESTEE.

Appearances:

For the contestant: George F. Elliott, Esq.; Hon. William F. Youngs, associate counsel.

For the contestee: Hon. Thomas F. Magner.

IN THE MATTER OF THE ELECTION CONTEST IN THE NINTH ASSEMBLY DISTRICT, GEORGE R. PASFIELD, CONTESTANT, AGAINST WILLIAM E. MELODY, CONTESTEE.

Appearances:

For contestant: George F. Elliott, Esq.; Hon. William F. Youngs, assistant counsel.

For contestee: Messrs. Judge & Durack.

IN THE MATTER OF THE ELECTION CONTEST IN THE FIRST ASSEMBLY DISTRICT, WILLIAM DWYER, CONTESTANT, AGAINST WILLIAM J. PLANT, CONTESTEE.

Appearances:

For contestant: George F. Elliott, Esq.; Hon. William F. Youngs, assistant counsel.

For contestee: Messrs. Judge & Durack.

IN THE MATTER OF THE ELECTION CONTEST IN THE SIXTEENTH ASSEMBLY DISTRICT, WILLIAM H. FRIDAY, CONTESTANT, AGAINST JAMES GRAHAM, CONTESTEE.

Appearances:

For contestant: George F. Elliott, Esq.; Hon. William F. Youngs, assistant counsel.

For contestee: Messrs. Judge & Durack.

IN THE MATTER OF THOMAS W. CAMPBELL, ASSEMBLYMAN OF THE TWELFTH DISTRICT, COUNTY OF KINGS, STATE OF NEW YORK, AGAINST JOSEPH F. LOONAN.

Appearances:

For contestant: Stephen M. Hoye, Esq.

For contestee: Hon. P. H. McCarren.

The Chairman.—The committee would like to inquire if there have been any arrangements as to which case should be taken up first, and a hearing thereon had before the committee.

Mr. Elliott.—I would simply say that as counsel representing the contestants, Kneeland, Friday, Pasfield and Dwyer, I have subpoenaed witnesses in all these cases, and am ready to proceed.

Mr. Durack.—I wish to state that though it was in the knowledge of Mr. Elliott that we appear for the three Members of Assembly, Plant, Melody and Graham, there has been no intima-

tion on the part of Mr. Elliott, or any other person, as to the order in which these matters would be considered, nor have we been served with a copy of the petition, and I had the following notice prepared on behalf of Mr. Graham and each of the other members, and served upon Mr. Elliott, which I present with his admission of service:

BROOKLYN, *January* 5, 1894.

GEORGE F. ELLIOTT, ESQ.:

Dear Sir.— Please take notice that at the hearing of the sub-committee of the Assembly Committee on Privileges and Elections a motion will be made requiring you to furnish and serve upon the undersigned attorneys for James Graham a bill of particulars setting forth the names and addresses of all persons alleged to have voted faudulently at the last general election held in this county, and the names of all persons alleged to have violated any of the election laws at or prior to said last election, and the names mentioned in and details of each alleged wrongful act by which it is attempted to have the seat of the above named Member of Assembly declared vacant, and that you be further required to furnish and serve upon the undersigned a copy of the petition filed herein, and of all papers or records that are to be introduced in this contest.

Yours, etc.

JUDGE & DURACK,

Counsel for James Graham, 371 *Fulton street*, *Brooklyn*, *N. Y.*

The object of serving this notice was that the other side should be prepared this morning to afford those whose seats are in question and their counsel some idea of the character of the evidence that was to be brought before the committee. There has been absolutely no response made to this notice, and the only information up to yesterday which this firm received, or which any of the members whose seats are assailed received, was through the public press. Yesterday afternoon the librarian of the Assembly called at our office and stated that this morning the committee would be here and proceed with these matters. In

view of all these circumstances, I think that it would be properly within the province of the committee to state the order in which these matters will be taken up, to state the time and place at which they will be considered from time to time until the final conclusion is reached, and to also make some arrangements whereby the representatives of those members whose seats are now in question may appear before the whole committee of privileges and elections for a final presentation of their case.

I feel, of course, as most Democrats do, that the seats of the members of Assembly from Kings county are brought into question largely because of the fact that these matters apparently have been already tried and determined by the public press. It is a matter of considerable gratification to the members, Messrs. Melody, Graham and Plant, that these matters will be taken up and considered by gentlemen from remote parts of the State with no interest but to come to just and proper conclusions, and when these matters have been thoroughly sifted and all the evidence has been taken, I feel that the good judgment, I might say the legal judgment, of the committee will sustain the seated members.

I further ask that the representatives of the contestants, so far as Messrs. Plant, Melody and Graham are concerned, comply with the notice referred to and furnish to us a bill of particulars.

Mr. Elliott.— So that the gentlemen might not be left wholly in the dark as to the mode of procedure and as to the kind and quality of evidence, I have prepared in proper form a copy of the protest which was filed with the Assembly, and now which, of course, you, gentlemen of the committee, have now with you, and that will in a measure acquaint my friend and his clients with the kind and quality of evidence which we propose to introduce. But as to giving the names and the addresses of the individuals who will testify and who voted fraudulently and illegally, I hardly think that the gentleman asked for that in seriousness, or that any member of this committee would for one moment require it.

The Chairman.— The decision of the committee is that we will take up the Friday case first. And upon the other question the

committee is of the opinion that if ample time is given to either side to meet the testimony offered by the other, that will answer all the requirements that either could ask, and will also answer the requirements of justice. The committee determine that if the members who now hold their seats make a fair application, stating that they have not had time to prepare to answer any evidence given by the contestant, that they may have reasonable time, all the time that they need, though, of course, the committee is desirous of closing as soon as may be.

With this statement the committee denied the motion for a further bill of particulars with the understanding that counsel shall have proper time to prepare evidence.

Mr. Durack.— If such time is accorded that is all we can reasonably expect. We only ask such time as will properly enable us to present our side before the committee, and I am satisfied to leave the matter in the good judgment of the committee.

IN THE MATTER OF THE ELECTION CONTEST IN THE SIXTEENTH ASSEMBLY DISTRICT, WILLIAM H. FRIDAY, CONTESTANT, AGAINST JAMES GRAHAM, CONTESTEE.

January 6, 1894.

Appearances:

For contestant: George F. Elliott, Esq.; Hon. William F. Youngs, assistant counsel.

For contestee: Messrs. Judge and Durack.

The stenographer, Mrs. Emma F. Pettengill, was duly sworn by the chairman.

Mr. Durack.— We have not yet received a copy of the petition in the Friday case.

A bill of particulars and copy of the petition is served by Mr. Elliott upon Mr. Durack.

Mr. Elliott offers in evidence on behalf of the contestant the original opinion of Mr. Justice Barnard, together with all the evidence in the case of William J. Gaynor against John Y. McKane

and others, filed November 27, 1893, including all the evidence on contempt proceedings.

Mr. Durack.— We object to the admission of these papers in evidence on the ground that the opinion of Judge Barnard was written in contempt proceedings brought against John Y. McKane and others for an alleged contempt committed upon election day in the failure to receive or in what was purported to be a prevention of the delivery of an injunction order of Judge Barnard.

We object further to the evidence in this matter, because none of them in any manner are connected with the proceedings of registration or illegal voting on election day.

We further object that the best evidence would be the persons who made these affidavits, so that counsel might have an opportunity to cross-examine them.

Our objection is that this is an absolutely collateral proceeding bearing in no way upon the rights of Mr. Graham, alleging the casting of no illegal vote. There are no affidavits among those offered that in any way question or touch Mr. Graham or the vote affecting Mr. Graham.

The Chairman.— The majority of the committee overrule the objections and admit in evidence the papers offered so far as they relate to and apply to the question of fraud committed in this district, upon the condition that the witnesses for the relator in that proceeding, if required by the contestee, shall be subpoenaed and produced, upon notice to the other side, for cross-examination, and that the witnesses for the people in that proceeding, if required by the contestant, shall be subpoenaed and produced, upon notice to the other side, for cross-examination.

Mr. Harrigan.— The minority of the committee except to the decision of the majority and dissent from that decision on the ground that it clearly appears that the evidence sought to be offered is immaterial; was taken in another proceeding to which the contestee was not a party and in which he had no opportunity of examining and cross-examining the witnesses; that the evidence has not been certified to as being taken in any court of record whatsoever, or in any proceeding whatsoever. On the further ground that counsel for the contestee has claimed the

right to cross-examine the witnesses whose testimony was taken therein; and on the further ground that written evidence taken in any action is not admissible unless against parties who were parties to that action; and further unless it clearly appears that the witnesses who gave such evidence can not be obtained for the purpose of giving testimony in the action or proceeding in which it was sought to introduce the evidence.

Mr. Durack excepts to the ruling of the committee.

Elijah Davis, called on behalf of the contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You are here obedient to a subpoena made upon the county clerk to produce certain documents in the matter of the contest of William H. Friday against James Graham? A. Yes, sir.

Q. Obedient to that subpoena, what papers do you produce? A. I have brought the official figures of the Sixteenth Assembly District, in which Mr. Friday and Mr. Graham were the names of the nominees for Members of Assembly.

The papers referred to are offered in evidence and received.

Q. What else have you brought? A. All the papers relating to the matter of the People ex rel. William J. Gaynor against John Y. McKane and others.

Q. What are the number of those papers? A. One hundred and forty-nine papers in all, including the official figures.

Q. And that embraces the opinion of Mr. Justice Barnard and all the papers in that proceeding? A. Yes, sir.

(The papers referred to are offered in evidence and received.)

Mr. Durack serves notice upon the other side that he shall require the attendance of all the persons who have made affidavits in these papers at some subsequent hearing.

Mr. Elliott calls upon Mr. Durack for the names of the witnesses whom he wishes called.

The committee grants the request and directs that Mr. Durack shall designate by name such witnesses as he desires to have called for cross-examination.

Mr. Durack moved for an adjournment on the ground that he is not familiar with the petition nor with the papers introduced in evidence.

The Chairman.— If it is impossible for counsel to proceed the committee will adjourn, but we prefer to proceed.

The committee gave notice to all witnesses who were subpoenaed to attend here to-day to be present on Monday, January 8, 1894, at 10 a. m., at which time the committee will proceed with the hearing in the Friday case. The other cases to be brought before the committee will be held in abeyance until Monday afternoon at 2 o'clock, at which time they will be considered and the order of their hearing decided.

Adjourned to Monday, January 8, 1894, at 10 a. m.

IN THE MATTER OF THE ELECTION CONTEST IN THE SIXTEENTH ASSEMBLY DISTRICT, WILLIAM H. FRIDAY, CONTESTANT, AGAINST JAMES GRAHAM, CONTESTEE.

January 8, 1894.

Present — Philip Keck, chairman; Wesley Gould, John C. Harrigan; Frederick R. T. Hempstead, acting sergeant-at-arms.

The chairman of the committee gives notice that one copy of all the proceedings of the hearings before the committee will be furnished to the attorneys on each side.

Mr. Elliott.— I ask that the committee take judicial notice of the fact that the State census of the town of Gravesend, for 1890, was 8,418.

Mr. Durack.—We ask that Mr. Elliott be required to prove that fact, or object to the committee taking judicial notice of it.

The Chairman.— I assume that the gentleman refers to enumeration of 1892.

Mr. Elliott.— Yes.

The Chairman.— I think that Mr. Elliott's proposition, then, is correct.

Mr. Durack.— Then I ask that the committee be informed by Mr. Elliott as to the time of year in which the enumeration was taken.

The Chairman.—I think it is unnecessary to spend time on that; there was but one enumeration, and the committee are intelligent enough to take notice of that.

Mr. Durack.—Before we proceed, relative to the evidence introduced on behalf of Mr. Friday, we want to object to the introduction of the alleged canvass and the certificate of the board of canvass; that it is simply a piece of paper, with no signature on, and has nothing on it to designate that it is in any wise official.

The Chairman.—I instruct that that be handed back to the county clerk, for the official seal of the county clerk, certifying that it is a transcript of the record or the official list, whatever it may be.

Mr. Durack.—Now, we would like to make a motion that the petition, or as my friend on the other side calls it, the bill of particulars be made more specific, and we object to it in so much as it fails to furnish the contestee with any specific information as to any alleged wrongful acts connected with the election had on November seventh last, and we wish to enter an exception now to the petition because it fails to furnish the contestee with definite and specific information.

The Chairman.—A majority of the committee have substantially passed upon the question raised by this objection, and the majority of the committee now overrule the objection.

Objection overruled. Exception taken.

William H. Friday, called in his own behalf, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You reside where? A. Five hundred and forty-eight Macon street.

Q. And you were a candidate for Member of Assembly in the sixteenth district on the seventh day of last November? A. I was; yes, sir.

Q. Your attention is drawn to the paper before the committee, and I ask you to point out on that map the election districts of the town of Gravesend where the election was held on the seventh of November last.

Objected to unless the map is authenticated and is proven to be what it purports to be.

The map is offered in evidence and is taken subject to correction and marked exhibit No. 1, January 8, 1894.

Q. Point out the place where the election was held on the seventh of November? A. No. 3 represents the town hall, 1, 2, 3, 4, 5 and 6 represent the election districts. The first, second, third, fourth, fifth and sixth districts are represented by the booths in the town hall; these booths were numbered with 1, 2, 3, 4, 5 and 6, in accordance with the number of districts, and the voting was done in this inclosure, which is a building, three-story frame, and these are the booths that are inside of the building.

Q. As near as you can now recall can you acquaint the committee with the dimensions of the room? A. I was not permitted to go in the inside of the room, so I saw it only from the door.

Cross-examined by Mr. Judge:

Q. Where do you live? A. Five hundred and forty-eight Macon street.

Q. Where is that? A. Twenty-fifth ward, city of Brooklyn.

Q. Did you live in Gravesend? A. Never.

Q. How often in any one year did you go to Gravesend? A. Perhaps a dozen times.

Q. Where did you get that map? A. I don't know who furnished that map; I recognize it from other maps that I have seen.

Q. Did you ever see it before this morning? A. No, sir; not this special map.

Q. Then, as a matter of fact, on your oath, you don't know whether that is a correct map or not? A. I know it to be a correct map.

Q. Do you know of your own knowledge that it is a correct map? A. I recognize that as a map of Gravesend.

Q. Then when you said you thought it was a map of Gravesend that wasn't true? A. I say that I recognize it as the map of Gravesend.

Q. What makes you recognize it as the map of Gravesend? A. Because I have seen a copy of the map before; not that special map; it may have been this special map; I won't be sure.

The cross-examination of this witness is suspended.

Frank L. Barnard, being duly sworn on behalf of contestant, testified as follows:

By Mr. Elliott:

Q. You hold the official position of deputy county clerk of Kings county? A. I do not; I was deputy county clerk and secretary for this board of canvassers, under the county law, which gives the county clerk power to appoint a deputy clerk for a period not to exceed thirty days, when the regular county clerk could not be present.

Q. Then you were county clerk for the purpose you named? A. Yes, sir.

Q. You were present during the canvass? A. The whole time.

Q. Will you look at this paper and see if that is a record of the canvass of the Sixteenth Assembly district?

Objected to that it was not an official record.

Mr. Judge asks that the official record be produced.

A. This is the tally sheet of the vote cast for Assemblymen in the Sixteenth, Seventeenth and Eighteenth Assembly districts of Kings county; this is the official tally-sheet, and from this tally we make the return; we tabulate the vote of the whole county on a tally sheet of this description; we have a mass of sheets of this character which contain the whole vote, of whatever the vote was given for assemblymen, senators, State officers or county officers, and this is the official tally sheet that we tabulate the figures on; after we have tabulated the vote from the several election districts, they are added together and then on the original statement we make the whole vote is consolidated, and then we say on the statement that the whole number of votes given for the office of Assemblyman in the Sixteenth Assembly district, in the county of Kings, is 14,251, of which Graham received 7,200, and Friday received 6,773; that is the original statement.

By the Chairman:

Q. In other words only the totals are put on there? A. Only the totals; this is the vote of the districts in that Assembly district.

The objection interposed by Mr. Judge is overruled. Exception taken.

By Mr. Harrigan:

Q. Where is the original return? A. That is in the office and only contains the total.

By Mr. Judge:

Q. Isn't it a fact that the committees work on these? A. I worked on these myself.

Q. Isn't it the fact that the committee go over and take down the figures of the different towns and wards and not the whole number of canvassers? A. Yes, sir.

Q. And afterwards you make this up? A. No; I make this up at the same time; it is a fact that the canvass of the county this year was proportioned in the five Senate districts and there was a committee of five supervisors accorded to each committee with a clerk to each committee; the Assembly vote being peculiar in this county, I canvassed that vote myself because, as you see, the wards are split up and that would make it confusing to any committee to canvass the Assembly vote, so I canvassed that myself.

By Mr. Durack.

Q. How many Senatorial districts is the Sixteenth Assembly district in? A. I think that is in one, that is in the Sixth Senatorial district; no; it is two.

Q. Then the vote of Friday and Graham was counted by two different committees? A. No, sir; I canvassed the whole vote myself.

Q. Did you count the ballots? A. No; we are talking about returns; I tabulated the returns.

By Mr. Judge:

Q. Did you make those figures on that paper at the time this tabulation was made? A. As we canvassed the returns of the

other votes they were handed to me, and I canvassed the return for the Assembly votes, sir.

Q. That is, some one else tabulated these returns and then you took their figures and put them on that paper? A. No; my figures are here and my assistant's figures are here.

Q. When were the figures made on that paper? A. Just as fast as we could get them; the committees would canvass the votes for the respective officers, county officers and Senators and then pass them to me.

Q. And would you tabulate the Assembly return and put them immediately on that paper? A. Yes; we completed the whole work together.

Q. Whom did you mean by "we?" A. I had an assistant who made some of these figures and I made some; many of them are my own; the totals are all mine.

Q. The rest are partly his and partly yours? A. Partly his and partly mine.

Q. Were you absent part of the time? A. I was not.

By Mr. Elliott:

Q. Did those figures elect Mr. Graham? A. On the face of the figures, Mr. Graham has the greatest number of votes.

By Mr. Judge:

Q. Who made this table in the twenty-fifth ward? A. Those figures are made by Mr. Gerry, with my assistance.

Q. Did Mr. Moorehouse have anything to do with it? A. No, sir.

Q. Who is Mr. Gerry, A. He was my clerk, you might say,

Q. Was he a clerk to a committee? A. He was a general clerk; we canvassed the count in five districts and then there was an additional clerk appointed who I appropriated to my own use.

By Mr. Elliott:

Q. Will you kindly look at the second district, the town of Gravesend, and tell us what the vote cast there was? A. Graham received 1,502 votes and Friday received ten.

Q. Give us the first district? A. Graham received 390 votes and Friday received fifty-one, and Mapes, the Prohibition candidate, received three.

Q. Give us the third district? A. Eight hundred and fifty-one votes for Graham and thirteen for Friday.

Q. Now the fourth? A. Graham received 360 votes and Friday received ten.

Q. And the fifth? A. One hundred and ninety-five for Graham and thirty-two for Friday.

Q. And the sixth? A. Two hundred and seven votes for Graham and forty-six for Friday.

Q. And by the totals you have there, who received the highest number of votes in the town of Gravesend? A. I have added the town of Gravesend separate from the town of Flatlands, but I could almost swear that Graham received the greatest number of votes in Gravesend.

The tabulated statement from which the witness is testifying is offered in evidence.

By the Chairman:

Q. You made those figures, or saw them made? A. Yes, sir.

Q. And you know the figures are correct figures? A. Yes, sir.

By Mr. Harrigan:

Q. From your own recollection, will you swear to the accuracy of the figures made by your assistant? A. Yes, sir; they were made right in my presence; I took the return in a great many cases, and called the figures made by him.

The sheet referred to is offered in evidence, and marked Exhibit No. 2, January 8, 1894.

John L. Voorhies, called in behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. Gravesend.

Q. Were you town clerk of the town of Gravesend in November last? A. Yes, sir.

Q. And during the year 1893? A. Yes, sir.

Q. Agreeable to subpoena duces tecum, have you produced the poll-list and registry-list of the town? A. Yes.

Q. Will you please produce them to the committee?

Witnesses produces books called for.

Q. I now ask you to produce the registry-lists in the six election districts of the town of Gravesend in the last election?

Witness produces books.

Q. I now ask you to produce the six poll-lists of the six election districts for 1893?

Witness produces book.

Q. And I ask you to produce the statement of the list of the general election, known as the canvass for 1893?

Witness produces the books, and they are offered in evidence, being the registry, poll-lists and election return of the six election districts of the town of Gravesend for the year 1893.

Mr. Judge.—We object to these books on the legal ground that they have not been properly proven, and I ask that they be marked for identification, subject to being examined.

The majority of the committee overrule the objection.

Mr. Harrigan.—The minority of the committee claims the right to ask any questions he may think pertinent of either counsel to this proceeding or of the witnesses, and the minority sustains the objection of counsel for the contestee on the ground that he should have an opportunity to cross-examine as to the accuracy and correctness of the books sought to be put in evidence.

Mr. Judge.—Are you familiar with the election and ballot laws?

Objected to as immaterial.

Q. Is that election register authenticated in any way? A. After they are through with them they are filed in the county clerk's office.

Q. By whom was that filed? A. By the inspectors, one in each district after they are through with them.

Q. Do you know whether that was filed by the inspector or not? A. Yes, sir.

Q. You know the inspectors there, Murphy and Morris and Brownhill? A. Yes, sir.

Q. It was filed by one of those? A. Yes, sir.

Q. (Handing book to witness). What is that? A. The poll-list of the first district of Gravesend.

Q. At the last election? A. Yes, sir.

Q. Who filed that in your office? A. Filed by one of the inspectors.

Q. Do you know which one? A. I can't remember all; there are some eighteen of them.

Q (Handing book to witness). What is this? A. A statement of the result of the general election.

Q. That is the record of the canvassers in what district? A. first district, town of Gravesend.

Q. Was that filed in your office in the regular manner? A. A. Yes, sir.

Q. Is the book I hand you now the same for the second district? A. Yes, sir.

Q. And is this the same for the third district? A. Yes, sir.

Q. And this one I hand you now, is it for the fourth district? A. Yes, sir.

Q. And this next one is for the fifth district? A. Yes, sir.

Q. And this one which I hand you now is for the sixth district? A. Yes, sir.

Q. Do you know of your own knowledge where the Election Law provides that a canvass of the voters of the town shall be filed, in how many places? A. Filed with the county clerk, the town clerk and a copy with the supervisor.

Q. And these papers were filed in the town clerk's office? A. They were filed in the town clerk's office.

Q. And are they on file in the county clerk's office? A. I presume so.

Q. The law requires that? A. Yes.

Q. And one copy with the supervisor? A. Yes.

Q. Is not a paper filed with the county clerk regarded as the original?

Objected to that the witness is not competent to testify and as calling for a conclusion. Objection sustained.

The Chairman.— Every one of the three copies are originals; they must be made duplicates.

By Mr. Elliott:

Q. From the records which have been admitted in evidence we now give the number of persons registered in each election district:

First district, the registered number certified to is.....	753
Second district, the registered number certified to is.....	2,475
Third district, the registered number certified to is.....	1,490
Fourth district, the registered number certified to is.....	610
Fifth district, the registered number certified to is.....	792
Sixth district, the registered number certified to is.....	470

In the first district the total number of votes cast for Member of Assembly was 444; of which James Graham received 390; of which William H. Friday received fifty-one; of which Demorest H. Mapes received three.

The whole number of votes cast for Member of Assembly in the second election district of the town of Gravesend was 1,512; of which James Graham received 1,502; of which William H. Friday received ten.

The whole number of votes cast for Member of Assembly in the third district of the town of Gravesend was 864; of which James Graham received 851; of which William H. Friday received thirteen.

The whole number of votes cast for Member of Assembly for the fourth election district of the town of Gravesend was 370; of which James Graham received 360; of which William H. Friday received ten.

The whole number of votes cast for Member of the Assembly in the fifth election district of the town of Gravesend is not recorded; of which James Graham received 195; of which William H. Friday received 32.

The whole number of votes cast for Member of Assembly in the sixth election district of the town of Gravesend was 253; of which James Graham received 207; of which William H. Friday received 46.

Thomas F. McGuire, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. What is your full name? A. Thomas F. McGuire.

Q. Where do you live? A. One hundred and seventy-three Fifth avenue, Brooklyn.

Q. You are a married man, with a family? A. Yes.

Q. And you reside there with them? A. Yes, sir.

Q. And what is your business or calling? A. Private detective.

Q. And during the year 1893 you were employed by the committee of one hundred? A. Yes, sir; the legal bureau.

Q. And in such capacity you visited the town of Gravesend? A. Yes, sir.

Q. On or about the week before election did you make such a visit? A. Yes, sir.

Q. For what purpose? A. I went down there to see if there was any colonizing, and if so, to try and prevent it.

Q. Did you see anybody there that you saw subsequent to the day that you saw them first? A. Not at that time I didn't; when I first went down.

Q. And how long after you first visited did you go there again? A. I went the next day.

Q. And whom did you see down there the second day? A. I saw four gentlemen whom I don't know personally.

Q. Give us their names, please? A. I have three of the names.

Q. Well, give us the names you have?

Mr. Judge objects to the witness looking at a paper. Objection overruled.

A. The names of the three are George Murphy, Mike Collins and Edward Quinn.

Q. Did you follow these men around that day? A. Yes, sir.

Q. Where did you go with them? A. I followed them to New York city.

Q. Whereabouts in New York city? A. They got off the Ninth Avenue Elevated railroad at Thirtieth street; they went down to Tenth avenue and up Tenth avenue to Thirty-fifth street and into a liquor store there and stayed there a full hour and

then they come out and went up to Thirty-seventh street, about 150 feet below Tenth avenue, towards the river, and they picked up with a gang of men there.

Q. How many? A. I guess about fifteen or twenty in all, and they brought them up to Tenth avenue and they went down on two separate belt-line cars; I followed the same men up to Tenth avenue and Forty-second street, where they went to the liquor store on the northwest corner and they come out directly again and went up to Fifty-first street and Eleventh avenue on the middle of the block between Fifty-first and Fifty-second where they come in contact with another gang of men; they come out and went down on a belt-line car; then they went up to Ninth avenue and Fifty-fourth street right opposite the repair shop of the Ninth Avenue railroad, and they met another gang of men.

Q. About how many? A. I guess there was twenty-five in the last gang; they went down to Fifty-third street, and from that into Hamilton ferry and crossed to Brooklyn, and took the Fifteenth street car and went to Culver's depot and down to Coney Island.

Q. Did you see these men or any of these men on election day in the town of Gravesend? A. Yes, sir.

Q. Did you see any of them vote? A. Yes, sir.

Q. About how many of them did you see vote?

Objected to that he should designate the men. Objection overruled.

A. I have seen, t omy own personal knowledge, about eight or nine of them vote, but I only got four or five of their names; I couldn't get the rest.

Q. Give to the committee the names of those men that came from New York, and that you saw vote? A. I don't remember them; I have them here.

Q. Did you make that memorandum at the time? A. Yes; I have the original memorandum here; the names of the men I saw vote that came from New York was Doyle, McBride, Thomson and McGill.

Q. Did you have a talk with some of the others, and, by reason of what you said, get them to go back to the city? A. Yes, sir.

Q. Can you give us the names of those men? A. Yes; Joseph O'Brien, George Childs, Matthew Donovan, Fred Hart, Peter Reilly, Charles Smith, Peter McAvoy, Alexander Rodden, William Davis, Thomas Joyce and William Callahan.

Q. Did you see any people that you know live in the city of Brooklyn who voted at the town of Gravesend on election day? A. Yes, sir.

Q. Will you give us the names of those, as near as you can?

Objected to. Objection overruled. Exception taken.

A. I know two brothers by the name of Connors, living in the twelfth ward, and a man by the name of Shaughnessy.

Q. Do you know of any others that you can now recall? A. No, sir; not at the present; I can't remember.

Q. All told, from the city of Brooklyn and from New York, the men that were brought there, how many will you say that you saw vote in the town of Gravesend on election day? A. Oh, I will say I saw fifteen or twenty, any way.

Q. Of these three men whose names you have given, whom you saw go over to New York, and were subsequently joined by others, did you see them in converse with the chief of police of Gravesend on election day? A. I saw three of them on election morning.

Q. And what were their names? A. The men that went over to New York, and brought these men there to Gravesend—George Murphy, Mike Collins and Edward Quinn.

Q. You were at the town of Gravesend during the entire election day, were you not? A. With the exception of the time I went to get my dinner.

Q. You didn't leave the town for that purpose? A. Yes; I went to Eighth avenue, 458, I believe.

Q. But with that exception, you were there all day? A. Yes, sir.

Q. Were you there at the opening of the polls? A. Yes, sir.

Q. And were you, from time to time, inside of the town hall where the voting polls were? A. Just right at the door.

Q. Look at Exhibit No. 1, of this date, and state whether at any part of the day you were where you could see the location of the booths, marked 1, 2, 3, 4, 5 and 6? A. No; I don't think I was where I could see them correctly.

Q. Were you where you could see the people going in and out of the town hall all day ? A. Yes, sir.

Q. And will you say that you saw a continuous crowd coming in and out to vote all day, or going in for any purpose ? A. No, sir.

Q. Explain from your present recollection of what you then saw in what proportion the people were there; were they there in great crowds of hundreds? A. Well, in the morning the fire alarm was sounded and that brought quite a crowd around for an hour or so, and after an hour or two the crowd slacked off, and there wasn't much voting going on till 11 o'clock.

Q. When you say a large crowd came, do you mean there was a thousand people came there ? A. I guess there was a couple of thousand of people come around there.

Q. During the entire day ? A. During the entire day; yes, sir; may be more.

Q. Have you reference now to the town hall and the people there, or do you mean in the entire town of Gravesend ? A. It brought them from every place.

Q. Did all these people who came there in the morning vote ? A. Oh, no; there was quite a crowd in the morning, but you couldn't tell who voted in the morning; there was quite a commotion down there; you couldn't tell who voted.

Q. Do you mean the crowd was so great that you couldn't tell whether anybody voted or not ?

Objected to that the witness should state what he did himself and not state conclusions.

Objection overruled. Exception taken.

A. Oh, yes; I could see them vote.

Q. Can you give the committee a fair idea of about how many people voted during the morning up to 11 o'clock; were they among the hundreds ? A. I don't think there would be any more than six or seven hundred.

Objected to. Objection overruled and testimony taken for what it is worth.

Q. What time did the poll open on election morning ? A. Six forty-one.

Q. And what time did they close in the afternoon ? A. Four forty-six.

Q. There was 605 minutes—

Objected to as leading.

Q. Can you tell us the number of minutes there were in the entire day? A. Six hundred and five.

Q. Have you computed the number? A. I have a memorandum of it.

Q. That you made yourself? A. Yes, sir.

Q. From 11 o'clock on explain to the committee how the voting took place, whether they came in great crowds or in pairs, or by ones, or how? A. There wasn't any voting much of any account only when a train would arrive, and when a train would arrive it would always bring some one down and they would vote and go back, and during the space till the next train there was no voting at all hardly.

Cross-examined by Mr. Judge:

Q. What ward do you live in in the city of Brooklyn? A. The ninth ward.

Q. How long have you been living there? A. I guess about three or four months.

Q. Where did you live prior to that? A. Eighth avenue, 458.

Q. How long did you live there? A. I lived there a couple of months.

Q. Where did you live when you were first employed by the legal bureau? A. I lived in 173 Fifth avenue.

Q. Whom did you meet as the employing person of the legal bureau? A. Mr. Barnard, 16 Court street.

Q. Is he a lawyer? A. He is, sir.

Q. Whom did you say he represented? A. He represented the legal bureau of the committee of 100.

Q. When were you employed, what date? A. Tuesday, before election.

Q. How many days was that before election? A. About eight days, I guess.

Q. What was your compensation?

Objected to as immaterial.

The Chairman.—I think you may inquire as to whether he was under salary, but I don't think it is competent to ask him how much.

By the Chairman:

Q. Is there any reason why you would not state what your compensation was; have you any objection? A. I haven't any objection.

The Chairman.—Then you may answer the question.

Objection withdrawn.

A. They paid me five dollars a day and expenses.

By Mr. Judge:

Q. Previous to that, where were you employed, if employed? A. I don't wish to answer that because it may injure me.

Mr. Judge insists upon an answer to the question.

The Chairman.—If the witness remembers he may answer the question? A. I don't remember.

Q. How long, prior to going to Mr. Barnard's office on that Tuesday morning, had you been employed? A. I guess it was a couple of weeks.

Q. Then you mean to say to this committee that although you can remember everything that occurred on the Tuesday prior to election that you can't remember such an important thing as an employment two weeks prior to that date that you were first employed by the legal bureau? A. I am not done with that yet.

Q. Give us the rest of it? A. I don't want to divulge the names of any people that I am employed by because it would injure them and me both.

Q. Would it incriminate you? A. I don't know exactly what it would do, but it would injure me.

Q. Will you give us a categorical answer whether it would or not? A. Yes; I think it would.

Q. Then you refuse to answer that question on the ground that it would incriminate you?

The Chairman.—The committee think that the witness need not divulge the names of any person by whom he has been

employed, and the committee unanimously decide not to allow that evidence.

Q. I ask you what you are employed at?

The Chairman.— If he can state the general class of business without specifying any particular class and without specifying the names he may do so.

A. Where there is an investigation in steamship companies; if they are missing any goods and they want to find out who is stealing these things, I am employed and sent in to work among the men and find out where these goods go to, and locate the party who is stealing them, if I can.

Q. Then will you state to the committee how the names of these people, or any other answer than the answer you have given, would criminate you? A. They would know if the company was employing men to watch them.

Q. Would that be a criminal offense? A. I don't say so; I said it might or might not.

Q. How long prior to that Tuesday morning had you been engaged in that employment? A. I believe I have answered that.

Q. Is two weeks right? A. About two weeks; it may be more; I wouldn't say positive.

Q. Were you employed by any one else other than this legal bureau at the time you were working for the legal bureau? A. No, sir.

Q. Is this steady employment that you speak of? A. At this time?

Q. Yes? A. No, sir; it is not.

Q. Was it two weeks prior to the Tuesday that you went to Mr. Barnard's office? A. I said so; I said two weeks, or may be more.

Q. Was it steady employment, I asked you? A. No, sir.

Q. At no time? A. No, sir.

Q. Have you been engaged in any other detective work? A. Yes; in several matters.

Q. Lately? A. No, sir; not lately.

Q. Are you still in the employ of the legal bureau? A. No, sir.

Q. Are you employed by any one else as a detective at this present time? A. No, sir.

Q. Have you ever had any other employment than as a detective? A. Yes, sir.

Q. What was the last before this detective business? A. The United States government.

Q. How long ago was that? A. That was five or six years ago.

Q. Did you resign from that employment? A. No, sir.

Q. Were you discharged? A. I don't know; we were laid off.

Q. Was there any reason given to you for your discharge? A. No, sir; there never was no reason given.

Q. Where did you reside then? A. I resided in 155 Smith street, I believe.

Q. Who else did you see belonging to the legal bureau? A. I had no dealings with anybody only Mr. Barnard.

Q. That is all you saw; did he pay you? A. I made my reports to him and he paid me.

Q. You saw him what hour of this Tuesday morning before election? A. I didn't see him in the morning.

Q. When did you see him? A. I see him at noon.

Q. Twelve o'clock? A. Between 12 and 1 o'clock.

Q. You are quite sure about that? A. I am very positive of it.

Q. That it was between 12 and 1? A. I believe it was.

Q. What did he instruct you to do? A. He sent me down to Coney island, and told me to ascertain, if I could, if there was anybody voting around there that didn't belong there and if I did, to report to him.

Q. Do you live in Gravesend? A. No, sir.

Q. How many times from the first of January to election day had you been in Gravesend? A. I have been down every day from the Tuesday previous; every day.

Q. How many times were you there from January first up to the Tuesday prior to election? A. Oh, I have been there a good many times.

Q. How many? A. I couldn't tell you.

Q. A hundred? A. To Gravesend, I passed through many a time; I haven't been in Gravesend a hundred times.

Q. Have you been there fifty times? A. Yes.

Q. From January 1, 1893, to the Tuesday prior to election, how many times were you in Gravesend? A. Four or five times; that is, in one year.

Q. In that time? A. Yes, sir.

Q. Did you live there any portion of the time? A. No, sir.

Q. Did you stay there over night? A. Yes, sir.

Q. Where did you stop? A. Any place that would be convenient.

Q. No; but where? A. I stayed on Surf avenue.

Q. The name of the party? A. I couldn't give it; I am trying to think of the name of the hotel; I think it was "Lewis."

Q. And that is on Surf avenue? A. It was at the time I stayed there; I don't know where it is now.

Q. When was it you stayed there? A. Last summer; a year ago.

Q. I asked you for one of the five times that you were there from January first up to the Tuesday preceding election, if you had stayed over night one of those times? A. Where do you mean, Gravesend or Coney island?

Q. Either one? A. I never stayed at Gravesend.

Q. Did you ever stay at Coney island during that time? A. No, sir; I did not.

Q. What did you mean by saying before, in answer to that question, that you did? A. I misunderstood you; I thought you asked me if I ever stayed down at Coney island.

Q. Then, when you were there these times, you went to Coney island in the summer time, is that it; when you were at Gravesend or Coney island? A. I would walk up the boulevard to Gravesend and stay there an hour or two and stay there and take the train.

Q. A matter of pleasure? A. That is all.

Q. You had no motive or occasion in walking up towards Gravesend from Coney island there, a mere matter of wanting somewhere to go to see what was going on around the island, did you? A. Nothing particular.

Q. Did you have any business with any one there? A. No.

Q. How many people do you know in Coney Island, that you are personally acquainted with in the whole town of Gravesend? A. I ain't personally acquainted with any one.

Q. Then, when you went down as a detective from this legal bureau, you went into a town in which you were not personally acquainted with a single individual? A. Yes, sir.

Q. Then if a man resided in Gravesend and happened to be in New York, and went down that day, as you have stated, here in your direct examination to be colonizers, you wouldn't know whether they were bona fide residents of Gravesend or not, would you? A. Not until after they told me.

Q. I am speaking of those that didn't tell you? A. Those that didn't tell me I know by sight, that was only three or four, just know them to see them; had seen them several times.

Q. But you didn't know whether they had resided in Gravesend and was only temporarily in New York? A. They belonged in the twelfth ward.

Q. How do you know these Connor boys didn't reside at Gravesend; didn't they reside there in the summer? A. They might be down there.

Q. Will you now swear before this committee positively that they were not there in the summer? A. I couldn't do that, sir; I didn't watch them all the year around.

Q. Then would you say they were colonizers and that they live in Brooklyn and voted in Gravesend; as a matter of fact you don't know? A. I know they are residents of the twelfth ward, but whether they go down there in the summer time and work I could'nt say.

Q. How long ago since you knew them to be residents of the twelfth ward? A. I know those people that I speak of now for fifteen or twenty years.

Q. What street did they live in? A. They used to live in ——

Q. No; no; what street do they live in now? A. I don't know at present.

Q. Where did they live between the Tuesday before election day and election day, when you said, of your own knowledge, that they were residents of the twelfth ward, what street and number? A. I couldn't tell you, sir.

Q. What street and number did they live in a month prior to election day; what street and number did they live in two months prior to election day? A. I couldn't give you the remotest idea.

Q. What street and number did they live in six months before election day? A. I don't know, sir, what street they lived in; I couldn't answer the question.

Q. Then on what do you base an absolute oath that they are residents of the twelfth ward when you know no street and number that they resided in within six months prior to election? A. I have known them for fifteen or twenty years, and I never knew them to work a day in their lives.

Q. But couldn't they work without your knowing it? A. I suppose they could, sir.

Q. They are under no legal obligations to ask your permission? A. No, sir.

Q. So that when you said in your direct examination that you saw two Connor boys vote in Coney island at election, and that they were residents of the twelfth ward, you mean that you supposed that they were residents; is that it? A. I mean that I know that they lived in the twelfth ward.

Q. That they did live there? A. Yes, sir.

Q. When? A. They have always lived there.

Q. One date? A. I couldn't give you a particular date.

Q. In the whole course of your life that you have known these men, give us a date and street and number where they lived? A. I never knew their address.

Q. Then how do you know where they live? A. They are always hanging around in that neighborhood; you always see them there.

Q. Then your statement is based on the fact that you always see them around when you lived there? A. Exactly; yes, sir.

Q. How often were you in the ward in the last six months, except to pass through it to go to some neighboring work? A. I couldn't tell you.

Q. Were you there a hundred times? A. No, sir; I was not.

Q. Were you there fifty times? A. Oh, yes, sir.

Q. Then, two weeks before election, before this Tuesday before election, how often were you in the twelfth ward? A. I was down there considerable.

Q. How often? A. I couldn't give you any idea.

Q. About how many times two weeks before the Tuesday prior to election? A. May be once or twice.

Q. And did you see Connors there both times? A. No, sir.

Q. You didn't see them at all? A. No; I didn't go around the neighborhood where they were.

Q. Where they live? A. Where they hang out; where I generally saw them.

Q. Did you hang out there too? A. No, sir.

Q. What did you go there so often for? A. Business.

Q. How often were you there a month previous to that Tuesday? A. I might have passed through there on a car.

Q. That is all? A. That is all.

Q. Did you see Connors there? A. No, sir.

Q. How often did you go down there two months previous to that Tuesday? A. I couldn't tell you.

Q. About how many times? A. I couldn't give you any idea at all; I can't remember whether I was there two months before or not.

Q. Did you see Connors that time before? A. No.

Q. In three months how often were you there? A. I couldn't give you any idea.

Q. Did you see the Connors at all? A. No, sir.

Q. In four months how often were you there? A. I couldn't tell you.

Q. Did you see Connors in that time? A. No, sir.

Q. In five months did you see them? A. No, sir.

Q. In six months did you see them? A. No, sir.

Q. In seven months did you see them? A. I can't answer; not in the twelfth ward.

Q. In eight months did you see them? A. I can't answer.

Q. In nine months prior did you see them? A. No.

Q. Did you see them where they lived in the twelfth ward? A. I don't know where they live.

Q. Give us the boundaries of what you call the twelfth ward? A. I consider anything the other side of Hamilton avenue the twelfth ward; I don't know the boundary, the lower end of the city down there.

Q. You have stated here in your direct examination that you knew two men who resided in the city of Brooklyn and voted in Gravesend, and that those men lived in the twelfth ward? A. Yes, sir.

Q. Now tell the committee what knowledge you have in the face of your examination here that you knew anything about where these men lived? A. I will tell you; they recognized me when they saw me in Gravesend, and they came over and spoke to me; I said, "Hello, Connors, what are you doing down here?" "Oh," he says, "we are down as usual;" and I says, "Where are you living now?" and he says, "same place;" and says I, "Where is that?" and he says, "down in the twelfth ward;" that is all.

Q. That is all the knowledge you have? A. That is all, sir.

Q. I understood your direct examination to be that you were unable to see the booths on election day from the position you occupied; is that true or not; am I right in that interpretation? A. I think so.

Q. Then when you say that you saw the Connor boys vote how did you see it if you were unable to see the booths at which that voting was done? A. They went into one and came out and said they had voted.

Q. And they told you all this? A. Yes, sir.

Q. And which one of them did you speak to? A. I spoke to both of them; I asked them if they had voted.

Q. Can you tell us which district they voted in? A. No, sir; I can not.

Q. Isn't it a fact that you saw them go into the town hall and come out, and that is all you know about it? A. That is all, sir.

Q. Then will you tell us the reason that you tell us with that absolute certainty on which your oath is predicated that you saw them vote, when, as a matter of fact, you didn't see them vote? A. I don't know I said I saw them vote.

Q. Will you swear you didn't? A. I don't think I said so.

Q. Will you swear you didn't say so ? A. I said they had voted.

Q. Will you swear you didn't say that you saw them vote? A. No, sir; I would not; I take it from their own word.

Q. Is it true or false that you said so ? A. If I said I saw them vote, I certainly couldn't see them vote, nor no man could see them vote.

Q. If you did say that you said what was not true; is that true ?

Question withdrawn at the suggestion of the chairman that it was an improper question.

Q. Now this Shaughnessy, where does he live ? A. He is a lounger around the sixth ward and around the lower end of the twelfth ward and Hamilton Ferry; I don't know as he lives anywhere.

Q. How long have you known Shaughnessy ? A. O, a short time.

Q. How long is a short time ? A. The time of the yacht race; I don't know how long ago that was.

Q. About when was that? A. I don't know how long ago it was.

Q. The yacht race took place last fall; is that the time? A. About October.

Q. Is that the time you know him? A. I don't know him personally at all; that is the time I heard of him.

Q. Then, how do you know he voted illegally and lived in the sixth ward? A. He does not live anywhere to my knowledge.

Q. Haven't you sworn that he lived in the sixth ward? A. I said he belonged there.

Q. Will you answer me categorically whether or not you have sworn here this morning that Shaughnessy lived in the sixth ward? A. I said he belonged there.

Q. Did you so say or not? A. Yes, sir; I did say so.

Q. Then, if he lived in the sixth ward, where did he live? A. I don't know, sir.

Q. Did you ever know where he lived? A. No, sir; I did not.

Q. Did you ever meet him in the sixth ward? A. I have seen him there; yes, sir.

Q. Where? A. I have seen him on the corner of Sackett and Henry streets.

Q. Anybody else present? A. Not at the time I saw him.

Q .Was he lounging around Sackett and Henry streets? A. Hanging around there.

Q. What do you call lounging? A. Standing, leaning over the railings on the corner.

Q. And any man you see on the corner leaning on the railings is a lounger, is he? A. No, sir; but he was lounging over the railings.

Q. Then, if you don't characterize an ordinary man you see leaning over the railings as a lounger, what do you mean a lounger? A. You can tell by his appearance.

Q. Suppose a man is dressed in poor clothes, leaning over a railing, is he a lounger? A. I can't answer that.

Q. Isn't it a fact that you characterize him as a lounger here to the injury of the contestee, so far as you can by word of mouth? A. No, sir; I would be sorry to do it.

Q. Didn't you say he was lounging around? A. Yes; I never saw him doing anything else any place I saw him.

Q. Then, you say he is a lounger? A. He is always lounging around.

Q. How long after you first saw Shaughnessy did you talk to him; I mean when you first got acquainted with him? A. I never spoke to him to my knowledge, but he spoke to me; I guess when I first got acquainted with him was somewhere around after New Year's, and when he first spoke to me it was around May.

Q. You say you got acquainted with him after New Year's last year? A. Last year; yes.

Q. Then it is not a fact that you got acquainted with him about the time of the yacht race this year? A. When I first saw this Shaughnessy it was a day or two after New Year's.

Q. A year ago? A. Yes; and then again the next time I saw him, I saw him down at the Point, at the time the Valkyrie was on the way down there.

Q. Then the first time you saw him at the yacht race, wasn't the first time you saw him? A. No; it is the second time.

Q. Is your memory good to-day? A. I think so.

Q. What is Shaughnessy's first name? A. I don't know his first name.

Q. What are the Connors' first name? A. I don't know that.

Q. How many times did you see Shaughnessy between May and election day? A. I saw him in May, and I didn't see him again till election day; and I saw him the day after.

Q. And that is the only time you saw him? A. Yes, sir.

Q. Do you know whether the Connors voted in Brooklyn or not? A. No, sir; I do not know.

Q. Do you know whether Shaughnessy voted in Brooklyn? A. I do not; no, sir.

Q. Do you know whether Shaughnessy was employed during the summer or resided in Coney Island during the summer? A. No, sir.

Q. Or any part of Gravesend? A. I understand you.

Q. You so characterize it, don't you? A. Well, yes, sir; I suppose anybody would.

Q. What did you do the first day you were employed by this committee? A. I went down to Coney Island.

Q. On what road? A. On Culver's road.

The cross-examination of this witness is suspended.

Adjourned to 1.30 p. m.

After recess.

Herbert S. Ogden, called on behalf of the contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. Eleven hundred and fifty Pacific street, Brooklyn.

Q. And you have been a voter in the city of Brooklyn for a number of years? A. I have; eighteen years.

Q. And have voted since the present system of the ballot law has gone into effect? A. Yes; every election.

Q. And voted at the last election? A. And voted at the last election.

Q. Were you a watcher at the last election? A. I was.

Q. Since election have you taken pains to become more familiar by an ocular demonstration of the methods of voting by our present system? A. I have; I made an experiment.

Q. And such an experiment was made when and where?

Objected to. Objection overruled. Exception taken.

A. On the fourth day of January, 1894, I was requested to qualify myself as a witness in the contested election case of McCarty and Wolfert, as to how fast it is possible for men to vote under the present election law; and, therefore, on the fourth of January of this month, at the Union League Club, I made an experiment in order to qualify myself to testify; I took the treasurer's room in the club; I had a ballot clerk, with five ballots, Democratic Republican, Labor, Prohibition and Populist; I had an inspector, a poll clerk, a registry clerk, and myself and Mr. Blackmar acted as watchers; we took the registry-list of the second district of the town of Gravesend, and took from that registry-list two or three names of each letter and put them on slips of paper, and put them on the treasurer's desk, at the door as you go in; I then went into the club, and I got a number of gentlemen, as intelligent men as I knew and could find, men like Mr. Francis Wilson, ex-president of the club —

Mr. Judge objects to a characterization of the men.

The Witness.—Well, I got intelligent men, and men known to me to be men of character, ability and intelligence, and I formed them in a line outside of the door, and said to them: "Now, then, as you come in the door, you take one of these slips of paper, and that is your name; you are in the second district of Gravesend, and you give your name, and answer the questions of the inspector, wait until you are checked by the registry clerk, then go to the ballot clerk, and then you go in the adjoining room," where there was prepared for them a place to fold their ballot, and then I told them to come back and do what they had done when they had been voting. At 9.36 I gave the word to go, and they came in and gave their names, and Mr. Mosscrop, the inspector, checked the name off of the registry-list. They then went and got their ballot and went into the other room, a distance of nine feet from where the ballot-box stood, folded their ballot, came back, were asked by the inspector their name and address and their number, were checked off by the poll clerk, and went out and took their places in the line to repeat it. We

kept that up for twenty minutes. At the end of twenty minutes time was called and voting ceased. We counted the ballots in the box and compared it with the list that the poll clerk had kept, and in twenty minutes we had voted twenty-seven names. There was no challenging; there was but one man sent back to fold his ballot because he had come into the room with these open pieces of paper just as he had gone back — he was sent back and was gone fifteen seconds. There was no challenging; there were no paster ballots used; the ballots simply had Democratic, Republican, Labor, etc., and did not need any time to compare the names, and, therefore, the conditions were more favorable —

Objected to as a conclusion of the witness.

The Chairman.— I think, as an expert, he can give an opinion based upon his practical experience.

The Witness (continuing).— And therefore the conditions were more favorable to rapid voting than any I have ever seen at any polling place, under the new election law, and I have voted at every election, not in the Gravesend district, but in the city of Brooklyn; now, then, in the Gravesend district, there are in that second district one thousand five hundred and odd names registered —

Objected to.

Q. At this voting that you speak of, was there any challenging, or interfering, or assisting? A. There was no challenging, there was no assisting, there was nothing done or said to prevent rapid and expeditious voting; in fact, it was stated by me and by Mr. Blackmer: "Now, do this as quickly as you can."

Q. Do you know what time the polls opened on election morning? A. I think there were 612 minutes in the election day.

Q. Did you make a calculation as to the number of votes that could be cast, counted and declared in the time that you made? A. If you assume that every person is an intelligent man, and that no person is challenged, that no person is sent back to refold his ballots, that no paster ballots are used, that every man knows what ballot he is going to vote without even stopping to compare it, it is possible in 612 minutes to poll 612

votes; but I don't think it is possible under the present law, and with the average voter in the average polling place, to poll as many votes as that, because after—

The witness' reason is objected to.

Q. What is your opinion as to whether or not 1,500 votes can be cast in one district during the time allowed by the statute for voters to vote in on election day?

Objected to. Objection overruled. Exception taken.

A. It is impossible, under the present election law, for 1,500 votes to be cast during the election day.

Q. Based upon the experience of your experiment, what will you say is a fair average of the number of votes that can be cast, counting such interruptions as naturally obtain on election day? A. That entirely depends upon the character of the community in which the polling place is situated; if your community is exclusively composed of intelligent men who thoroughly understand the law and what is required of them, it would, in my opinion, be possible to poll 600 votes; but I think, from what I have seen, the various polling places where I have voted and acted as a watcher, that it would be hardly possible that 500 votes could be polled; I don't know of any polling place in the city of Brooklyn where so high a number as that has been polled.

Q. And when you spoke of its being probable that 600 votes could be polled, did you understand that that would provide that they would vote continuously? A. That means that they must start in the morning at the opening of the polls and keep it up without cessation.

Q. Do you know what the ratio of voters is to the population in the State of New York?

Objected to; that he is not an expert.

A. I have read statistics and books; that is all; I don't know of my own knowledge; I never took a census.

Cross-examined by Mr. Judge:

Q. What polling place were you a watcher of in the city of Brooklyn? A. I was a watcher this year during the day at the polling place in the eleventh district of the twenty-fourth

ward, and in the evening I was a watcher in my own district, the first district of the twenty-fourth ward.

Q. Who asked you to make this experiment? A. Mr. Kendall and Mr. Hobbs, the counsel for Mr. Wolfert, asked me to qualify myself as an expert.

Q. Where is the Union League Club located? A. At the corner of Bedford avenue and Dean street, in the city of Brooklyn.

Q. Is that a Republican club? A. It is.

Q. Is it a political organization? A. Not altogether; it is political and social; it is composed of men who are Republicans.

Q. This experiment was made in a Republican club? A. Made by Mr. Blackmar and myself, and we took that room and the adjoining room to do it in.

Q. Is Mr. Blackmar a Republican? A. He is.

Q. How many booths had you? A. I allowed six, and I kept the six full all the while.

Q. What was the position of your election officers? A. The inspector stood behind a small table; the person who acted as check clerk sat about five feet from him, and between them stood the poll clerk, and directly in front as they came in the door, at a distance of probably five or six feet from the inspector, was a tally clerk with the ballots all laid out on the table; and standing in the doorway where I could keep track of the men as they went into what stood for the booths, I stood, and Mr. Blackmar stood at the other side of the room where they came in.

Q. Do you know the position required by law for the different officers to be, and the position which is required for the different implements, such as ballots, and books, and so forth, are required to be, and the order in which they are required to be? A. I don't know as I know it exactly; I have a general idea of it.

Q. I want to know if you know it absolutely of your own knowledge; yes or no? A. Generally; yes.

Q. If you know that generally, I will ask you, do the register and the ballot clerk sit together within two feet of one another? A. Not always.

Q. As required by law? A. No; it is not required that they shall sit within two feet of one another.

Q. Is it required by law, in the position in which the tables and the boxes are to be arranged, that the ballot clerk or the inspectors, or the registers acting as inspectors, do they have the boxes within two feet of the register, and within four feet of the ballot clerk? A. It is not required by law that they shall.

Q. Is it required by any regulation of the election department of the city of Brooklyn, made in accordance with law? A. It is not required that they shall be within that distance, that I know of.

Q. As a watcher, did you have the instructions that were printed with the laws? A. I did not; no.

Q. At any time in your experience? A. No.

Q. Did you ever act as an election officer, other than as a watcher? A. No; not since this new law.

Q. Then, as a matter of fact, you don't know positively in what way the election implements, and the men are required to sit on election day, in acting in their various capacities? A. I don't.

Q. Do you? A. I said, generally, yes; that was your assumption that I don't.

Q. Are they scattered around the room? A. That depends upon what you mean by scattered; I never saw one on top of the other.

Q. Are they in order, running on one side of the room? A. Not always.

Q. And the booths on the other side? A. Not always; I have seen booths on two sides.

Q. Are they required by law to be so? A. They are not required by law to be on two sides.

Q. Are you positive about that? A. I am.

Q. Are they required by law to be on one side only? A. I don't think the law requires that they shall be on one side.

Q. Will you swear one way or the other? A. No; I will not.

Q. Is it required by law that the tables, the voting boxes, the inspectors, the ballot clerk, and the poll clerk shall be on one side of the room, in front of the booths? A. Yes.

Q. Or that the booths shall be all around them? A. No; away, and in front of the booths.

Q. Then it is required by law that they shall be on one side of the room? A. Not exactly; I have seen it in a number of cases in the city of Brooklyn.

Q. I didn't ask you that; is that your construction of the law? A. That is my construction of the law; yes.

Q. Is that your answer, as an expert, that it is not required to be as I have asked you? A. I don't understand that you have so asked me.

Q. I asked you if it was so required, that they be all on one side of the room, and the booths on the other side? A. I have answered that; I have said that they shall be away and opposite from the booths.

Q. Isn't it the rule, or is it the rule, that when you go to vote in the city of Brooklyn, that you announce your name and street, that the poll clerk checks it, that the register gets it, and that you get your ballot, and the register puts it down all at one and the same time? A. No, sir; if you wish to know what is the rule I will explain it to you.

Q. That isn't the rule in the city? A. It isn't, to my knowledge; you first come in and announce your name and address, and the registry clerk—

The Chairman.— Doesn't the law provide, and isn't the law the best evidence, and is it worth while to spend time to bring out what the law provides? I think if you will limit your examination to what Mr. Ogden did in his experiment, it will be preferable.

Q. What sort of a room was this? A. This was the treasurer's room of the Union League Club, a room probably, I should say, two-thirds of the size of this; certainly one-half, and maybe two-thirds; and we used the office adjoining.

Q. Had these men who acted as your election officers acted in that capacity at the late election? A. They had; the chairman who acted as chairman of the board and of the officers had acted in that capacity before; Mr. Mosscrop, who acted as registry clerk, had acted as registry clerk; Mr. Kendall, who acted as poll clerk, had acted as such; Mr. Edward H. Hobbs, who acted as ballot clerk, had not acted as such, but I never in my life saw a ballot clerk—

Objected to.

The Witness (continuing).— I, who acted as a watcher, and who gave the time and took the time, had acted as watcher at the election, so that I knew what I was about.

Q. Then did, as a matter of fact, the election officers, when a supposed voter had approached the rail and given his name, did they all simultaneously, the register turn to his name, and the poll clerk take his name ? A. They did not; I will tell you what was done; they didn't simultaneously take his name; the registry clerk turned to his register and said "check;" then he goes to the ballot clerk and gets his ballot, and the ballot clerk calls out the number; the poll clerk then, who has his number written down, says No. 1, or 2, as the case may be, and he goes into the booth, and he comes out of the booth and is taken to the inspector, and the inspector says "Name ?" "Smith." "Address ?" "Gravesend," and the clerk says, "All right," and he votes.

Q. They didn't check them simultaneously then? A. No one does it; it isn't done in any election; it took a shorter time, because while the voter was going to get his ballot, the poll clerk had it down, and when he gave the number of his ballot, the poll clerk put it on his list; then when he comes back to vote, the poll clerk checks it off and the ballot clerk checks it off; the whole operation can not be simultaneous; the man walks in the room, gives his name and address, and then when the registry clerk calls out "check," then the ballot clerk gives him his ballot, and then the number of his ballot has to be taken, and then he goes into the booth; that is the operation.

Q. Were the booths constantly full? A. They were.

Q. And did you let anyone inside the rail, or give them a ballot, until the party who had deposited his ballot had gone outside the rail in this experiment? A. Yes; they could come and get their ballots.

Q. But, as a matter of fact, did they? A. They did; they could and did; but there were but six allowed in the booths at once.

Q. But what I asked you was, when you had your six in, one came out and gave his ballot to the ballot clerk to be put in the

box; did you allow another voter inside the rail until that one had got outside? A. Yes; so as to keep it full; so as to make the experiment as fast as possible; but after the first six had gotten their ballots and had gone into the booths, and the first one comes out, you then run at half speed, because your first six get their names and the ballots and go right in; now, after the first one begins to come out your lines conflict, and inasmuch as every person has to be checked, your speed is not as fast after the first six.

Q. At how many of the polling places did you officiate since this election law came into effect? A. I don't think I officiated in any except to vote.

Q. As an official? A. If you mean if I acted in any official capacity, I did not before this election.

Q. Suppose that there was a set of election officers who had acted for a number of years in that capacity in the same place, and there was eight booths or nine booths, would the mode of voting and the rapidity of voting exceed what you have stated? A. No.

Q. If there was ten would there be any more rapidity in the voting? A. No; nor if there were fifty.

Q. Or a hundred? A. Or a hundred; and I will tell you why if you will allow me.

Q. In your opinion, could 125 votes, in the regulation election place, with six booths, be voted in an hour? A. I don't think they could, and I don't think it possible if they were every one of them intelligent men who were accustomed to voting under the ballot law; I don't think it possible.

Q. All of those men, of course, that you had voting had strange names? A. Certainly; they never had seen the names, but they were furnished with the slips; I went down the line and handed each one a slip.

Q. That is the first time they knew those names? A. Of course.

Redirect by Mr. Elliott:

Q. The book from which these names were taken contained about how many names, approximately? A. It contained about 500; less than the 1,500.

Q. Then, if you had a book containing 1,500, you could not find the names as readily as from the book you had? A. Of course not.

Q. That is what you meant when you say you did everything to make a quick election? A. Yes, sir.

Q. If there is any other thing which you desire to testify to in explanation of the testimony you have given, will you be good enough to state it now? A. I was asked by the gentleman whether it would make any difference whether there were ten booths or twenty-five booths, or 100 booths, and I wish to explain to the committee why it would not; as a matter of fact, with six booths, and with intelligent men, the line of persons voting and coming in is always full and there are persons waiting, and the inspector, the poll clerk, the ballot clerk and the chairman of the board of inspectors, can only attend to one man at once, and the consequence is, if they had 100 booths, it would only pile up men behind the chairman of the board of inspectors; but he couldn't receive but one ballot at a time, or put proper questions to the persons coming in to vote, so that it would make no difference how many booths you had beyond enough to keep the line full.

Abel E. Blackmar, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You are a practicing attorney in New York city? A. I am; I live in Brooklyn, in the twenty-fourth ward.

Q. And you were present at the time this experiment was made by Mr. Ogden? A. I was; I participated in it.

Q. And you have heard the testimony given by Mr. Ogden to-day? A. No, I haven't; because I went in the other room to try and get a book.

Q. Will you give the committee the date when that took place? A. It took place last Thursday evening.

Q. Between what hours? A. Mr. Ogden and I compared watches, and when the first voter went in, after we had the experiment all organized and got ready to vote, it was 9.36; we set our watches together, and announced the time and made a memorandum of it.

Q. Will you tell the committee how many persons there were who conducted this canvass? A. There was the inspector, the registry clerk, and the ballot clerk, who gave out the ballots, and the poll clerk, who put the names down, and Mr. Ogden and myself were watching the proceedings to see that it was properly done and expeditiously done, and I should judge there were about ten or fifteen men.

Q. And all the booths were kept full? A. Mr. Ogden attended to that part of it; I watched the speed with which the tickets were given out.

Q. What was the form of the ballots? A. They were pieces of paper.

Q. Similar in form to those used at election? A. They might not have been as large, but they had the general form.

Q. Was the crease in them? A. No; they folded them right up at the top.

Q. But the number of folds was the same as those used on the election day? A. Just the same, and the ballots did not contain anything except Democratic, Republican, and so forth; there were no paster ballots, no challenges, and no questions of physical disability; we did it to see how fast it could be done under favorable circumstances.

Q. And you remained at the polling place and was there during the entire time that the polls were open? A. I watched everything except the men in the booths.

Q. And you were there and remained as long as Mr. Ogden did in the conduct of the election? A. Yes; I saw everything, and it was just twenty minutes, and twenty-seven ballots were cast.

Cross-examined by Mr. Judge:

Q. Are you familiar with the law governing elections in the city of Brooklyn? A. I am reasonably so.

Q. And in the county towns? A. I don't think there is any difference.

Q. Are you familiar with the laws governing the elections in the county towns? A. If they are the same; if there are any changes I am not familiar with them; we conducted the experiment as I have told you.

Q. And if there were one hundred booths, what is your opinion whether they could vote more or less than they voted on that occasion? A. I should think they would vote a great deal slower, because they would get all mixed up; I think it would be a fair question whether, if there was one booth more, there might not be a slight increase of speed.

Q. If there were ten? A. Judging from our experiment, I don't think there would be any increase of speed; the inspector was busy all the time.

Q. Which officer do you call the inspector? A. I call the man who checks the names and asks the questions.

Q. Isn't it a fact that in the city of Brooklyn, all the inspector has to do is to check? A. That may be; I called him the inspector.

Q. Are you familiar with election officers and the method of election? A. I am, as a practical matter; yes.

Q. Do you know which is the poll clerk, and which is the inspector? A. I don't know them by those names; I know the officers who are present on election day, and the functions generally that they perform.

Q. That is all; you are not familiar enough to name each officer and his duty? A. Oh, I don't know.

Q. Does the poll clerk check off, or does he take the names? A. He took names.

Q. What did the inspector do? A. The man I call the inspector is the man who received the ballots and asked questions; and the registry clerk looked up the names on the election list and checked them off.

Q. As a matter of fact, isn't he an inspector? A. That may be; I just used these names because it was convenient to do so.

Q. Do you know the names of all these gentlemen who participated in this experiment? A. The most of them; there may have been one or two that I don't know.

Q. What was their political color? A. I think they were all Republicans.

Q. You didn't give the Democrats a minority representation on that occasion? A. No; we were not in a position to do so.

By Mr. Elliott:

Q. Have you any explanation you desire to make further? A. In my judgment we acted faster there than it has ever been done at a regular polling place in the city of Brooklyn; I wish to say that at the last election I stood in a line — there were a large number of men voting in a line, and, consequently, I wached to see how fast it could be carried on; and the night that we conducted this experiment, I think we acted nearly twice as fast; there was one question of assistance arose in that election where I attended.

Q. Can you tell the committee how many votes were cast on election day at the place of which you speak? A. I can not.

Mr. Judge moves to strike out the testimony of the last two witnesses, on the ground that it is testimony of something that happened after election; happened under circumstances different from any election that could affect this contestee, and when this contestee was not present, and under the auspices of people who were having this experiment as against this contestee.

Motion denied. Exception taken.

Thomas F. McGuire, cross-examination resumed.

By Mr. Judge:

Q. When you arrived at Gravesend where did you go? A. I went down to the depot and along Surf avenue.

Q. Explain to the committee what you mean by Surf avenue? A. It is the avenue right along by the depot.

Q. Where did you go there? A. Walked right along the walk.

Q. What else did you do? A. I didn't do anything in particular then; I see four men in conversation together and passed them by.

Q. Who were they? A. I named three of them for you.

Q. Give us their names? A. George Murphy, Michael Collins and Edward Quinn, that is three of the four; I didn't get the other one.

Q. That was the first day you went down? A. That is the first day I went down.

Q. And were they the only men you met on Surf avenue? A. They were the only men I met talking together.

Q. And as I understand you have testified here to-day, in your cross-examination, that you knew no one person in Gravesend or Coney Island; will you tell the committee how on that day you knew Murphy, Quinn and Collins? A. I didn't know them on that day.

Q. You said you saw them and they were so and so? A. They was the men that was pointed out to me after; election morning was the first morning I knowed the names of these men.

Q. Who pointed them out? A. Parties down there.

Q. Who was it? A. I don't know who it was.

Q. Some people you met casually? A. Yes, sir.

Q. Is that all you know as to their names? A. That is all, sir.

Q. All you know then when you say you know these men to be Murphy, Collins and Quinn, is that some one you met on the street or road told you that they were those men? A. They were pointed out to me.

Q. You went over to some bystanders and said who is that, and they said Murphy, Collins and Quinn? A. Yes, sir.

Q. And that is the extent of your knowledge? A. Exactly; yes.

Q. Did they give you their full names? A. Yes; I believe he did; yes.

Q. Can't you testify without a paper? A. Yes; I don't know whether they had a middle name or not.

Q. Did they give you their full names as you have stated them? A. Yes; just as I have stated them.

Q. Did you see any one else on that morning? A. I saw a good many people down there.

Q. You didn't meet any one from the city even that you knew on that day? A. No, sir; I wasn't down there a half an hour altogether.

Q. That day? A. That day; I come up after these four men, right on the same train with them.

Q. Did you have any information as to where you would find those four men before you went down? A. I wasn't going down looking for these four men.

Q. How did you come to follow those men? A. When I was passing down Surf avenue I heard one say, "It is all fixed, and we will get them in New York," and I made up my mind something was wrong; I walked down a hundred feet further and then I came back again.

Q. Then you mean to say that you left Brooklyn and went down to Coney Island; that you walked along Surf avenue, on which there were a good many people— A. There wasn't a good many people; I didn't say that.

Q. Well, without any previous instruction you singled out those four men and followed them to the city? A. Simply because I heard the remark they made; yes, sir.

Q. Did you see any one else down there that day that you have known since, on the first day you went down? A. No, sir.

Q. Not a single person? A. No, sir.

Q. Then that was the first time that you ever had seen Murphy, Quinn or Collins in your life? A. I think it was; I might have saw them before, but I don't remember it.

Q. Did they go direct to the railroad? A. They went direct to Culver's depot.

Q. And took the train? A. And took the train.

Q. What train? A. Thirty-sixth street; I think it was either the half-past 3 or 4 o'clock train.

Q. Was there anybody on the train that you knew? A. No, sir; there was not.

Q. You came up to Thirty-sixth street in the city? A. I came up to Thirty-sixth street.

Q. What did you do next? A. Got on to a Fifth avenue car.

Q. Did they do that? A. They went on to the car before I did.

Q. Where did they go to and where did you go to? A. I went over the South Ferry with them.

Q. What occurred then? A. They crossed the South Ferry and went up on the elevated railroad, the Ninth avenue, and got off at Thirtieth street; then they went up Tenth avenue and Thirty-fifth street, and went to a liquor store on the corner and stayed in there I guess a full hour.

Q. Where were you? A. Standing outside on the opposite corner.

Q. Did you have any one with you? A. Not a soul only myself.

Q. That day, from Thirty-sixth street, on the cars, over the ferry, in the elevated railroad, all the way to this place where you are now in your cross-examination, did you meet a single person with whom you were acquainted? A. No, sir; I did not.

Q. Or that you knew? A. No, sir; I did not.

Q. Or did you meet anybody whom you knew by sight, who could be reproduced? A. I didn't meet anybody, to my knowledge, that I ever saw before.

Q. In all your journey? A. No, sir; I wasn't looking for anybody.

Q. I ask you, did you? A. I did not; no, sir.

Q. What happened then? A. They went up to Thirty-seventh street.

Q. That is, they left the store? A. They left the store and went up to Thirty-seventh street.

Q. Walked up? A. Yes, sir.

Q. What avenue? A. Tenth avenue; and they went down about 150 feet from Tenth avenue, towards Eleventh.

Q. And you followed them? A. I followed them, yes, until I see them stop, and then I went back on the opposite corner.

Q. In that distance did you meet anybody you knew? A. No, sir [I didn't want to meet anybody I knew].

The part of the answer in brackets is objected to and stricken out upon motion.

Q. What happened then? A. They went into the corner of Forty-second and Tenth avenue, a liquor store.

Q. Did you go into the store? A. No, sir; I did not; I stayed outside.

Q. What happened then? A. They came out of there and went up Fifty-first street and Eleventh avenue, between Fifty-first and Fifty-second streets.

Q. What was the name of the store they went into 150 feet from the avenue? A. I don't know.

Q. What was the name of the first store? A. I think it was Joyce.

Q. And you didn't know the name of the next one? A. No, sir; it was dark.

Q. What time of night? A. Around 6 o'clock.

Q. What distance did you keep from these men? A. Across the street; on the opposite corner.

Q. Where did you go from there? A. To Eleventh avenue, between Fifty-first and Fifty-second.

Q. You first, you say, went to Thirtieth street? A. I said they got off at Thirtieth street station and walked to Tenth avenue.

Q. Then you went to Thirty-seventh street? A. Thirty-fifth.

Q. Didn't you say you went to Thirty-seventh? A. No, sir; I did not.

Q. Is Joice's in Thirty-fifth or in Thirtieth street? A. They went in a liquor store on the corner of Thirty-fifth street, and I believe that is Joice's.

Q. And then they went to Thirty-seventh street? A. Thirty-seventh street.

Q. Where did they go from there? A. Fifty-first street and Eleventh avenue.

Q. Didn't you testify in your direct examination that they separated when they left Thirty-seventh street? A. I said that the men went down on the belt line car, but these people that I followed didn't separate.

Q. What men separated? A. The men that they picked up on Thirty-seventh street went down on the belt line car in two separate cars.

Q. How do you know they picked them up? A. I saw them pick them up.

Q. You mean they met some men? A. Exactly.

Q. And that they took a car and went down? A. They took two separate cars.

Q. Then, at Fifty-first street, what happened? A. They met some more men there and they took the belt line cars.

Q. Did they take the train? A. What train?

Q. Did they take an elevated train, any of them? A. belt line.

Q. From that they took the belt line car? A. Not the last section; they took the Sixth Avenue Elevated railroad at Fifty-third street and Eighth avenue.

Q. What do you mean by the last section? A. The last section hey met; they went up to Eleventh avenue, between Fifty-first and Fifty-second streets and they left that and went to Fifty-fourth street and Ninth avenue, and they left Fifty-fourth street and Ninth avenue and walked down Fifty-third, and out Fifty-third and took the elevated train.

Q. Did you know whether or not, as a matter of fact, any of these men were residents of Coney Island or Gravesend? A. Only what they told me.

Q. Did you talk to every one of them? A. I talked to a good many of them.

Q. To them all? A. No, sir; I didn't talk to them all.

Q. When did you talk to them? A. The day before election; the night before election and on election day.

Q. Where did you see them? A. At Coney Island, and some at Gravesend, and some down by the railroad trestle there, by the creek.

Q. When did you make that paper? A. I made it yesterday.

Q. What did you make it from? A. Made it from the original copy.

Q. Where is the original? A. I gave it to counsel.

Q. Whom did you talk to the day before election? A. I talked to Joseph O'Brien, George Childs, Matthew Donovan, Fred Hart, Peter Kelly, Charles Smith, Peter McEvoy, Alexander Robbins, William Davis, Thomas Joyce and William Callahan, day before election in the afternoon about 3 o'clock.

Q. Do you know where they are now? A. No, sir.

Q. Have you ever seen them before or since? A. No, sir.

Q. How far behind these men did you keep on that night, coming from Fifty-first street and Third avenue; is that what you said? A. No, sir.

Q. Did you say here to-day, anything in respect to meeting any men at Fifty-first street and Third avenue? A. Not that I know of; no, sir.

Q. Are you as positive of that as of any testimony you have given here to-day? A. I can swear to it.

Q. What time was it when they reached the ferry? A. Half past 8; we went over in the half past 8 o'clock boat.

Q. How do you know that? A. It was after quarter past 8 when we got there, and the next boat was half past 8.

Q. What impresses the time on your mind? A. That is all; it was quarter past 8 when we got there.

Q. How do you know that? A. I looked at the clock myself; I come down that way and looked at the clock and see that it was quarter past 8.

Q. You remember every minute detail of what happened; that is clear and fresh in your memory? A. Provided they ain't too small.

Q. And when you testified, in your direct examination, your memory was that clear, so that there couldn't be any error in your memory? A. Oh, I don't know; the best in the world might make a mistake.

Q. Then would you make a mistake in your memory? A. Not on that quarter past 8 I wouldn't.

Q. You went over the ferry? A. Yes, sir.

Q. When you say "we went over," whom do you mean? A. Did I say we?

Q. Yes? A. If I did I didn't mean it; I mean by that that these four men of whom I have spoken and myself.

Q. When you speak of a gang of men you mean a number of men? A. Yes; I mean twenty or so.

Q. What occurred after that? A. I crossed over and took the Fifteenth street car; there was no car in Fifteenth street when they got there and they stood a little while, and the Fifteenth street car came along and they got on it, and I got on the Ninth street car, and I went as far as Ninth avenue and Fifteenth street, and walked out to Culver's depot, and got there before they did.

Q. Did you stand at the depot? A. I stood across the street from the depot.

Q. What time of night was it? A. I guess it was about somewhere around 9 o'clock, maybe after.

Q. From your position on the other side of the street will you swear positively now that all the men you saw there came over the ferry? A. I saw the men at the depot.

Q. And you are positive they were the same men? A. Positive.

Q. Then did you take the train? A. No, sir; they took the train.

Q. Now, from this time you left the ferry, you took the Fifteenth street car or the Ninth street car until they got to the depot, and went into the depot, did you meet a single person that you knew? A. No, sir; I did not.

Q. Not one? A. No, sir.

Q. Did you see any one at a distance from you that you knew? A. No, sir.

Q. They took the car, did they? A. Yes, sir.

Q. The train started and that is the last you saw of them that night? A. That is the last I saw of them that night.

Q. We are talking now about the first day that you started; the first day you were hired? A. Exactly.

Q. Then what did you do next? A. I went down the next day.

Q. That is all you did that night, was it? A. That is all that night.

Q. Those that took the train that you saw going out were those that went up to the Fifteenth street car that came over the ferry with you, were they? A. Yes, sir.

Q. And those that came over the ferry with you were those that you came down in the train with? A. Yes, sir.

Q. Didn't you testify on your direct examination that all the men you saw that day came over the ferry with you, took the Fifteenth street car and took the train? A. No, sir.

Q. You state positively now that that is not true; then did you see the number of men that left at Thirty-seventh street again that day? A. I couldn't tell you, sir.

Q. Why? A. I didn't recognize them personally; I couldn't tell you whether they were Fifty-fourth street number, or the Fifty-first street number, or the Thirty-seventh street number.

Q. Did you testify on your direct examination that the people you saw at Thirty-seventh street or at Thirty-fifth street, and

that took the belt-line cars, that they went to Gravesend that night? A. No, sir.

Q. Did you see these men to your knowledge after you saw them take the belt-line car? A. Not to my knowledge; no, sir.

Q. And you don't know, as a matter of fact, where they went, do you, on that day? A. Not positively; no, sir.

Q. Of your knowledge? A. I didn't see them go.

Q. Well, you don't know, as a matter of fact, of your own knowledge, where they went on that day? A. No, sir; that is, I didn't see them go there; I don't want to testify to anything that isn't right.

Q. Then where did you go after that on that evening? A. After I left them I went home.

Q. And where were you living then? A. One hundred and seventy-three Fifth avenue.

Q. Where did you go in the evening; did you go to bed or did you go out again? A. I went right to bed.

Q. What did you do the next morning? A. Went down to Coney Island.

Q. Did you go to Mr. Barnard's office? A. Yes, sir.

Q. Did you go there before you went to Coney Island? A. Yes, sir.

Q. Then when I asked you awhile ago, when you said you went down to Coney Island, you didn't mean that was the first thing you did? A. I didn't know you wanted me to mention Mr. Barnard's office; I left the house and went to Mr. Barnard's office, and from his office I went to Coney Island.

Q. And on your way home that night from the depot in that journey did you meet any one that you knew or any acquaintance of yours? A. No, sir.

Q. Or did you meet any one that you knew by sight in business? A. I rode down in the Ninth avenue car to Union street, and there wasn't a soul on the car only myself and the driver and conductor.

Q. You have testified, as I understand it so far to-day, that you didn't meet, from the time you left Mr. Barnard's office until you came back to the house that night, a single person that you knew

in this city, even by sight? A. Yes; I won't say that nobody passed me that I knew, but I will say that I didn't recognize anybody.

Q. But will you say that there didn't anybody pass you that you knew? A. What I mean to say is this: There might half a dozen pass me who knew me, but I didn't recognize any of them.

Q. Who were any of the half dozen that you might have passed?

Objected to. Objection sustained.

Q. What happened at Mr. Barnard's office? A. Nothing particular; I told him what I saw, and I went down to Coney island again.

Q. What road did you go on? A. I went down on Culver's road.

Q. What station did you get off at? A. I got off at Coney Island.

Q. Did you see anybody on the train that you knew? A. Going down?

Q. Yes. A. No, sir; I did not.

Q. Any one that you knew? A. Not that I know of.

Q. What train did you take? A. I couldn't say whether it was half-past 11 or 12 o'clock.

Q. What station did you get off at? A. Coney island.

Q. Surf avenue? A. Yes.

Q. Where did you go then? A. Went along Surf avenue to the end of the road.

Q. The end of what road? A. I think it is the end of Surf avenue; as far as you could walk.

Q. Up to Norton's point? A. Not so far as that; I guess it doesn't go so far as that; I didn't go into the sand.

Q. You only went as far as the macadamized part? A. May be I didn't go as far as that; I went a good ways up.

Q. Are you familiar enough to know what streets you went? A. No, sir.

Q. What else did you do? A. I stood there awhile, crossed over the street and went back on the other side.

Q. Did you see anybody you knew there? A. There was a few people around there.

Q. What else did you do? A. I see eight or ten walking together; three in the first row, and another set quite a distance apart, and I said: "Hello, how did you fellows get down here?" So they said they came down last night; they said: "Was you one of the gang?" I said: "No; but I expect to meet friends of mine here;" so I said: "Were you in that gang that came down from New York last night;" and they said yes, and I passed them by and went up to the crossing.

Q. This was on the Wednesday before election? A. Yes; the next day.

Q. What place on Surf avenue did this happen about? A. You know where the observatory is, about 100 feet or so down below that.

Q. Towards Norton's point? A. Yes; on that big square.

Q. You had no other conversation with these men? A. No; not a particle; no, sir.

Q. Where did you go from there? A. I went up to Gravesend.

Q. Did you go in any of the hotels? A. No, sir.

Q. You went up to Gravesend through what street? A. I don't know what streets the town hall's sides on; I went up to the Boulevard.

Q. What happened then? A. I went along the Boulevard; I think there is a lane there, and I think it is Wyckoff lane, I wouldn't be sure of that, and I come through that lane back to the town hall.

Q. How many men did you see on Surf avenue that you spoke to? A. I spoke to three or four that was together; about ten men in all.

Q. When you got up in Gravesend, what did you do; what hour of the day were you in Gravesend? A. I was up in the afternoon, somewhere around 4 o'clock.

Q. When did you arrive at Coney Island? A. Somewhere around 1 o'clock.

Q. Did you have your dinner there? A. I didn't eat anything down there that day.

Q. Where did you go after you got up in Gravesend? A. I stayed around there a while.

Q. Whom did you see when you got into Gravesend? A. I see a good many people there.

Q. Did you talk to anybody? A. No, sir; I didn't stay there enough time to talk.

Q. How long about did you stay there? A. I stayed until the train came along.

Q. At what station? A. At Gravesend station.

Q. Sheepshead bay? A. I don't what bay it is; it is right at Gravesend.

Q. You are not familiar enough with Gravesend to know what the station is? A. No; I don't know.

Q. Did you take the train back to the city? A. I took the train and come up; yes, sir.

Q. How long were you altogether at Gravesend? A. It was after 3 o'clock when I left.

Q. You were there from 1 to 3? I guess so; about two hours.

Q. It took you from 1 to 3 to go down Surf avenue to the end of the macadamized road across the street and up to Gravesend? A. I went up to the Boulevard.

Q. It took you two hours and a half to do that, did it? A. I walked and went across and back to the Boulevard and through that to Wyckoff lane, I guess it is, and I might have had a little time to wait for the train; they don't run very often.

Q. And then you came back to the city? A. Yes.

Q. Where did you go then? A. I went home.

Q. And that ended your labors for the day? A. No, sir; I went down that night.

Q. On your way back or traveling through Gravesend, did you meet anyone you knew? A. No, sir.

Q. What time did you start down there that night; did you go anywhere in the city that day? A. No; I went down, I guess, 9 o'clock.

Q. That night? A. Yes.

Q. What time did you arrive at Coney Island or at Gravesend, whichever it was? A. You can tell just about how long it takes a train to go down there.

Q. You took the 9-o'clock train? A. I think it was the 9-o'clock train; I wouldn't be positive; I didn't note the time particularly.

Q. Where did you go to after you got down there? A. I went to Gravesend.

Q. You didn't go all the way to the island? A. Not at that time.

Q. What happened then? A. Nothing.

Q. When did you come back? A. Come back the next morning.

Q. Where did you stay that night? A. I stayed at Coney Island and Gravesend.

Q. Do you mean to say to the committee that you didn't stay at any house? A. Yes, sir.

Q. Did you go in any house? A. No, sir.

Q. Any hotel? A. No, sir.

Q. Did you go into a habitation of any kind from the time you got to Gravesend until the next day? A. No, sir; not until I came home.

Q. Where did you spend your time? A. I spent my time around Gravesend and Coney Island.

Q. Walking the streets? A. Yes, sir.

Q. Did you go into any of the different stands around there? A. There was no stands up then.

Q. Did you go in any bar-room? A. No, sir; not that day.

Q. That night? A. No, sir.

Q. Did you meet any one that you knew or any one that knew you? A. Not that night.

Q. And what time did you start home the next morning? A. I come up in the morning somewhere around 7 o'clock.

Q. Took the 7 o'clock train up? A. I don't know whether it was 7 o'clock; it was somewhere around 7.

Q. Did you meet any one on the train that you knew? A. No, sir; the train was full, too.

Q. What did you do then, go home? A. I went home.

Q. How long did you stay home? A. I stayed home all day.

Q. Until when? A. In the afternoon.

Q. You didn't call at Mr. Barnard's office that day? A. That day I did; yes, sir.

Q. Then, as a matter of fact, you didn't stay home all day? A. What I call the day is along 5 or 6, from 7 in the morning.

Q. What time did you call at Mr. Barnard's office? A. Somewhere around 5 o'clock.

Q. What did you do then? A. I simply told him that I was down there.

Q. When you left his office what did you do? A. I went home and got my supper and stayed home that night.

Q. You didn't go to Coney Island that night? A. No, sir.

Q. As you were going to Mr. Barnard's office that day did you meet anybody you knew? A. No; I came down in the car.

Q. And there was nobody in the car that you knew? A. No, sir.

Q. Then you didn't go down at all on Thursday? A. I don't think I did go down on Thursday.

Q. All this time from Tuesday until the present in your cross-examination, you did not in your travels meet anyone you knew? A. Not outside of my own house, that I can remember.

Q. Your memory is particularly good, I understand you to-day; on Friday what did you do? A. I went down to Coney Island Friday about 10 o'clock in the morning.

Q. Did you go to Mr. Barnard's office before you went down? A. Not until after I came back.

Q. You went down at 10 o'clock in the morning? A. Yes, sir.

Q. Which road? A. The same road.

Q. Where did you get off? A. I get off at Coney Island.

Q. Did you meet anybody that you knew on the way down, or towards the depot? A. No, sir.

Q. Where did you go when you got off at Coney Island? A. I went down the Bowery.

Q. You mean Surf avenue? A. No; it is a little below there; I believe they call it the Bowery; to the left of Surf avenue; you go down Surf to the west, and I believe the Bowery is that plank walk that is on the left.

Q. You went down the Bowery how far? A. I couldn't name the street; I went down the street.

Q. Did you do anything? A. Nothing particular.

Q. Did you do anything? A. No, sir.

Q. Only walk? A. That is all.

Q. How long did you stay there? A. I stayed there until about dark.

Q. You stayed there until night-time? A. Yes, sir.

Q. Did you eat at any place then? A. Not at the island.

Q. Did you go into the store? A. I did; yes; yes, sir.

Q. Which one? A. I can't tell you the name.

Q. Can you tell us the location so that it could be identified? A. I could go down with anybody and show it; that is the best I could do.

Q. You couldn't tell us without doing that? A. I could not; no, sir.

Q. Did you meet anybody you knew? A. No, sir; I did not.

Q. Up or down the whole week? A. No, sir.

Q. I don't mean anyone you recognized; I mean anyone you knew, whether you recognized them or not? A. You mean any one I personally knew?

Q. Or knew of; if you knew who they were without being acquainted with them; or if you knew them without being acquainted with them; that is what I mean? A. Not up till that night I didn't.

Q. Then you stayed in the Bowery until night-time, from 10 o'clock in the morning? A. I think so.

Q. What were you doing? A. Looking around to see if I could see anybody.

Q. Did you stay on your feet all that time? A. All the time; yes, sir.

Q. And walked up and down the Bowery? A. O, no; I didn't walk up and down the Bowery.

Q. Where did you go? A. I went all over the place.

Q. Went all over Coney Island? A. Coney Island and Gravesend.

Q. After you left the Bowery where did you go? A. Back to Gravesend, and I went up along Culver's railroad.

Q. You walked up along the road? A. Yes; I didn't take the train.

Q. What did you do when you got to Gravesend? A. Didn't do anything; looked around there and saw them quite excited,

etc.; there wasn't anything that I done until the night before election, that I can remember.

Q. What time did you go home that night? A. I don't remember; that was Friday night.

Q. You said awhile ago that you went to Mr. Barnard's office that time; and I would like to know the time of day you went to his office? A. I can't remember that quite distinctly.

Q. You remember this, that you said in your cross-examination here a minute ago that you went to Mr. Barnard's office that time, and now you testify that you didn't get home until that night, and you went to Mr. Barnard's office after you came home; how do you explain that? A. Now that I remember, I went to Coney Island on Friday, and went to Mr. Barnard's office when I came back; I didn't stay down there long, and from Mr. Barnard's office I went down there again.

Q. Then when you testified a while ago that you went to Coney Island and that you stayed in the Bowery or walked through the island until night, that was not true, was it? A. I believe Friday I went to Coney Island first, and I didn't stay down there any length of time; I went down early in the morning I know, and came back and went to Mr. Barnard's office, and from Mr. Barnerd's office I went to Coney Island again that day, Friday; that I believe is true.

Q. Which statement is true?

Objected to.

Q. When did you leave the island on Friday, if you came up in the morning? A. I got in Mr. Barnard's office about half-past 2, I should say; I don't know exactly what time I left.

Q. Where did you eat your dinner that day? A. I ate my dinner home.

Q. When did you go down to the island in the afternoon? A. I went down to the island in the afternoon, I guess, somewhere about half past 4 or 5 o'clock.

Q. How long did you stay there then? A. I stayed there until, I guess, the last train coming up.

Q. Did you visit any hotel? A. No, sir; I didn't go in any hotel at all that night.

Q. Didn't go inside a house? A. I went into Culver's depot, and I was sitting there reading a paper for a while, an hour or more.

Q. And then what time did you come up? A. I came up later.

Q. What time? A. I guess it was the last train.

Q. When did you have your supper that night? A. I ate my dinner in the afternoon, and I didn't eat any supper until I got home.

Q. Did you have your supper when you got home? A. A cup of tea; that is all.

Q. Was your wife up? A. No, sir; she was in bed.

Q. Who attended to it? A. I got a cup of tea myself.

Q. Would she know what hour you got in? A. I think she would.

Q. Then you stayed home that night? A. Yes; I stayed home all day, Saturday.

Q. Until when? A. I stayed home all day Saturday; I went to Mr. Barnard's office and then I went home again.

Q. And Saturday night? A. That night I went down to Gravesend.

Q. You took the Culver road again? A. I took the Culver road and went to Gravesend and I come right back on the next train.

Q. Didn't meet any one? A. No, sir.

Q. Didn't know any one in the depot? A. No, sir.

Q. Didn't you know any one in the depot? A. No, sir.

Q. Or in the cars on the way to the depot? A. No, sir.

Q. And your wife knew that, didn't she, that you went out at a certain hour Saturday night, and came back at a certain time? A. I suppose she did.

Q. She was in the house at the time? A. Yes, sir; I guess she was there.

Q. Was she in the house when you came back? A. O, yes, sir.

Q. Then you stayed home after that Saturday night, did you? A. Yes.

Q. Sunday, what did you do? A. Stayed home in the house.

Q. Sunday night? A. Stayed home, in the house.

Q. Monday? A. Monday I went to Mr. Barnard's office.

Q. Anything else; did you go anywhere else? A. I went down to Coney Island.

Q. What way did you go? A. Culver's road.

Q. What car did you take? A. Fifth avenue car.

Q. Did you meet any one you knew on the way up or down? A. No, sir.

Q. You took the train there, did you? A. Yes, sir.

Q. What hour? A. I guess about 2 o'clock.

Q. Are you positive as to the time of the train? A. No, sir; I didn't look at the time; it was around that anyway.

Q. And you got off at what station? A. I got off at Coney Island.

Q. Coney Island station? A. That is the last station.

Q. Where did you go from there; this was when? A. This was the day before election; I think I went down to a saloon there on the Bowery.

Q. You went to the Bowery again? A. Yes, sir; walked down around the Bowery.

Q. How long did you stay there? A. I turned right back again; I went into the saloon there, and got a drink and came out.

Q. Do you know the name of the saloon? A. No, sir; I do not.

Q. In all this journey did you meet any one you knew? A. There was not any one to meet on the Bowery.

Q. Where did you go from there? A. I went up to the old depot; I forget what they call it; I think it is the West End depot, the old Coney Island railroad depot.

Q. What did you do there? A. I see three or four men sitting in there on benches, and I see, or at least I thought, they were some of the gang that came down from New York; and I told them it was dangerous around there; that Gaynor's men were raising the devil, and to look out for them; and they got out; got a gang together, twenty-three in all, and went to New York, and I left them.

Q. And is that what you said to these men? A. Something to that effect; I don't exactly remember what I did say.

Q. Do you know any of these men that you said that to? A. I just gave the names.

Q. Those names that you gave us, five or six names? A. There was more than that; there was twelve.

Q. Did you have the names of the twenty-three? A. No, sir; these were the first I met.

Q. Were those twelve men sitting in a line? A. No; four of them.

Q. What did you say to them, and what did they say to you? A. I just told you.

Q. Is that all that happened to you? A. That is all.

Q. Did they rush around and get twenty-three? A. They didn't rush around.

Q. Just tell us how you got them? A. They got them; I told them it was getting dangerous around there; that Gaynor's men were raising a row — I don't care to use the word I said — and if they were not careful they would get themselves in trouble; and I says, "How many of you are here?" and he says, "There are some of us; I don't know how many;" and I says, "How many can you get?" and he says, "I can get eight or ten;" and I says, "You get as many as you can and I will pay your fare and you go to New York."

Q. And you met them at the depot? A. No; I met them back of the observatory.

Q. You went to the depot? A. No; I didn't.

Q. They went to the depot? A. Yes.

Q. Did you give them any money? A. I gave them twenty-five cents apiece.

Q. And you didn't go up with them? A. Yes, sir; I did.

Q That is, you followed afterwards? A. Afterwards.

Q. You all went up on the train? A. All went up on the train; they went in the first car and I was on the second.

Q. Did you see them get off of the train at the depot? A. Yes, sir.

Q. Did they walk down town or take a car? A. They took a car.

Q. And went to New York? A. And went to New York.

Q Did you see them at Coney Island again? A. No, sir; not afterwards.

Q. You didn't see them vote there, did you? A. No, sir.

Q. Did you see them register there? A. No, sir.

Q. Do you know whether they were registered or not? A. No, sir.

Q. Or whether they voted or not? A. No, sir.

Q. You went home then, did you? A. I went back to Coney Island.

Q. You went back to Coney Island after going over the ferry to Whitehall street? A. Yes, sir.

Q. What car did you take? A. I took the Smith street car.

Q. That means the Ninth street car? A. Yes, sir.

Q. Did you meet anyone you knew on the way up or down? A. Yes, sir.

Q. Whom did you meet? A. I met a brother-in-law of mine.

Q. What is his name? A. Collins.

Q. Where does he live? A. In Fourth avenue; I don't know the number; it is near Twelfth street.

Q. How many doors from Twelfth street? A. I don't know.

Q. You met him on Monday night, at what hour? A. It was late.

Q. What hour about? A. It must have been 11 o'clock or after.

Q. Did he go up on the car with you? A. No, sir.

Q. Where did you meet him? A. I met him on the corner of Sixteenth street and Ninth avenue.

Q. Did you get off the car before it got up, before you got off to take the train? A. I got off at Fifteenth street and Ninth avenue.

Q. Why did you do that? A. The car went down.

Q. Then you walked along to Culver's depot? A. I walked clean down to Gravesend.

Q. What road did you take down? A. I walked down, right along by Culver's track, along by the cemeteries.

Q. How did you get beyond the depot from Ninth avenue? A. I walked up Ninth avenue to Twentieth street, and went along by the cemeteries.

Q. And you walked all the way to Gravesend station? A. Yes, sir.

Q. Anyone with you? A. No, sir.

Q. Did you meet anybody you knew? A. I met a good many people, but I didn't know them.

Q. Can you name a single person that you knew or that knew you, or would recognize you again? A. No, sir.

Q. What time did you get to Gravesend? A. I don't know.

Q. About what time? A. I couldn't tell you.

Q. Was it 1 o'clock? A. I guess it was.

Q. Was it 2? A. I couldn't tell you; you know just about how long it would take me to walk down there from Fifteenth street.

Q. I couldn't tell. A. Well, I am sure, I can't.

Q. You did it, and you ought to know? A. Well, I walked slowly down there.

Q. You left the track at the Gravesend station? A. Yes, sir.

Q. Did you meet anyone then that you knew or go in any hotel? A. I didn't go in any hotel; they have got a shed down there they have for the use of carriages and horses; I stayed there for a while.

Q. What did you do? A. I lit a cigar and smoked.

Q. Where did you go to? A. Didn't go anywhere in particular.

Q. Where did you go after that? A. I stayed right there.

Q. For how long? A. I guess I stayed there for a couple of hours.

Q. Did you go to Barnard's office that Monday, after you went down? A. I told you I went to Barnard's office; yes, sir.

Q. Then what did you do when you stayed there for a couple of hours under that shed? A. I didn't do anything at all.

Q. And you stayed under that shed a couple of hours? A. I didn't stay in that spot; I stayed in that vicinity.

Q. Did you go in any of the hotels? A. No, sir.

Q. Did you meet anyone that you knew or who would recognize you? A. No; not that I know of.

Q. After you had stayed there a couple of hours, where did you go ? A. I heard some clock or another strike 4 o'clock.

Q. What did you do then ? A. I got up to right along by the race-track, up the Boulevard, and up towards Prospect park.

Q. You walked from the town of Gravesend ? A. Yes, sir.

Q. How far did you go ? A. To near the park.

Q. Anyone with you ? A. No one but myself.

Q. What did you do there ? A. I stood there.

Q. For how long ? A. I guess it was half-past 5.

Q. Then where did you go from there ? A. Went back.

Q. Now you have walked from Brooklyn to Gravesend station, and you have walked from Gravesend station to near Prospect park on the Boulevard ? A. I guess it was a mile and a half this side.

Q. Was it this side of the Road house ? A. Whose house ?

Q. The Road House ? A. I don't know.

Q. You went back to Gravesend then ? A. Yes, sir.

Q. What road did you take going back ? A. The same road.

Q. Where did you leave the Boulevard ? A. At that lane; I think it was Wyckoff lane.

Q. And you went along Wyckoff lane to where ? A. To Culver's road again, right by the race track there, and it turned into Culver's crossing; it is a station there.

Q. The Gravesend station ? A. It is about a block further up, and then it comes into where Culver's road runs.

Q. What did you do there? A. I stayed there.

Q. Did you do anything there? A. Not a thing at all.

Q. Did you see anybody that you knew, or talk to? A. Not at that time.

Q. What did you do after that? A. Didn't go anywhere at all.

Q. Did you stay there all day? A. Yes; moping around all the time, except when I went to get my dinner.

Q. Is the town hall in that vicinity? A. The town hall is right around the corner.

Q. When did you leave to go to your dinner ? A. I guess somewhere around 12 o'clock.

Q. Were you there in the morning when the bell was rung? A. It was just after it was being rung; yes, sir.

Q. Was there a great number of people around there? A. After they commenced to come up.

Q. A great crowd, wasn't there? A. Yes.

Q. About how many? A. I couldn't tell you; it was black around.

Q. Didn't you say in your direct examination it was 2,000? A. Yes, sir; but that is only guesswork.

Q. Did you stand at the door of the town hall? A. No, sir.

Q. At any time? A. No, sir.

Q. Did you state in your direct examinantion that you did stand at the door of the town hall, and looked in to see the voting? A. I said I went to the door of the town hall.

Q. And that you could see the booths? A. I didn't say anything of that kind.

Q. Did you, as a matter of fact? A. No, sir; you couldn't see any of the voting.

Q. What door of the town hall did you go to; the main door? A. The side door.

Q. Isn't there, as a matter of fact, three side doors on each side? A. I don't know; there might be a dozen.

Q. Did you go around the town hall so as to familiarize yourself with it? A. No, sir.

Q. You don't know whether anyone voted there or not, as a matter of fact, do you? A. Only what I saw.

Q. You said you couldn't see anybody vote? A. People going in and coming out.

Q. You didn't see any one register there, did you? A. No, sir.

Q. How long did you stay there that day? A. I stayed there all day.

Q. When did you leave there to go to dinner? A. Somewhere around nooutime.

Q. What time did you get back? A. I wasn't long away.

Q. Can you tell us where you spent the best part of the day or any part of the day? A. Right around there.

Q. At any hotel? A. There is a hotel across the street from the town hall; I was around that plaza and on the outside.

Q. You were not inside the town hall at all? A. No, sir; I was never in the town hall in my life.

Q. How many polling places can you see from that stoop? A. I only could see the one.

Q. Could see the door-steps? A. That is all.

Q. Do you know how many polling places were situated on the side facing that stoop? A. No; only what I hear.

Q. You don't know of your own knowledge? A. No; not of my own knowledge; no, sir.

Q. The door of what election district was it, you say you saw? A. That I couldn't answer you; I didn't pay any particular attention what district; it didn't interest me that much; I wasn't looking for the districts; I see the people going in and out there, and that is all the attention I paid to it; I couldn't tell whether there was one or ten dozen.

Q. You came back to Coney Island from dinner when? A. It didn't take me long; I couldn't say.

Q. What time did you say you got there from your dinner? A. I guess I was an hour and a half gone all together.

Q. What time would that bring you back to the island? A. I couldn't tell; I know it was noontime.

Q. Two o'clock? A. I guess I was back before that.

Q. When did you see these Connors? A. In the morning, early.

Q. What time did you see Shaughnessy? A. About ten minutes after.

Q. In the morning? A. Yes; I saw them all early in the morning; I didn't see them afterwards.

Q. Did you see anything else there? A. No, sir.

Q. Did you see anyone except these Connors and Shaughnessy, vote or go in and out that you knew? A. No, sir.

Redirect-examination by Mr. Elliott:

Q. Were you employed to go down to this place because you knew everybody or because you didn't know anybody? A. Because I was a stranger.

Q. You knew no one down there? A. All I knowed down there was John Y. McKane, but he don't know me.

Q. Did you or not make it a point from the time you went down and came away to keep out of public places? A. Yes, sir.

Adjourned to Thursday, January 11, 1894, at 10 a. m.

MATTER OF THE HEARING BEFORE THE ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS. RE FRIDAY AGAINST GRAHAM.

January 11, 1894.

Before Messrs. Keck, Gould and Harrigan, committee.

Appearances:

For the contestant: George F. Elliott, Esq., and William J. Youngs, Esq.

For the contestee: Messrs. James P. Judge and William L. Durack.

The poll-lists for the election of 1893, in the town of Gravesend, heretofore received in evidence, are now marked Exhibits Nos. 3 to 8, respectively, January 11, 1894.

The official returns for the election of 1893, in the town of Gravesend, heretofore received in evidence, are now marked Exhibits Nos. 9 to 14, respectively, January 11, 1894.

The registers of electors for the election of 1893, in the town of Gravesend, heretofore received in evidence, are now marked Exhibits Nos. 15 to 20, respectively, January 11, 1894.

John L. Voorhies, recalled:

By Mr. Elliott:

Q. I ask you to look at Exhibit No. 4 of this date, and to state whether or not they, as well as all of the other poll-lists that have been marked in evidence, are in the same condition they were when they were deposited with you by the proper officers? A. Yes, sir; to the best of my knowledge and belief.

Q. What do you mean by the best of your knowledge and belief? A. That they are the same as they were.

Q. Do you mean by that that you yourself have not personally examined them to see whether any change has been made? A. I have not personally examined them; no, sir.

Q. Do you know then, as matter of fact, whether any change has been made in them since the time they were deposited with you? A. No, sir; no change has been made in them since they were in my possession until they were in the possession of the grand jury and before this committee and the Assembly committee.

Q. I ask you now, and if I have not made myself clear or do not make myself clear, I want you to ask for further light, and my question now applies to the poll-lists, to the statement of the general election as well as to the register of electors, and I ask you whether any change, any check or other change has been made in those books since they were deposited with you by the proper officers of Gravesend? A. I will answer; not to my best knowledge and belief; I don't know that there is.

Q. I will ask you whether any one of all of these statements and poll-lists and registers have been out of your possession or out of your sight as town clerk since they were deposited with you previous to being brought to the grand jury? A. No, sir; only being copied in the office.

Q. I ask you further if it is not the fact that some person has been to your office since the last election and particularly in the poll-list Exhibit No. 4 of this date, whether they have not put two additional checks there opposite the names of the persons who have voted? A. Not to my knowledge.

Q. Have you heard rumors to the effect that such a thing has been done?

Objected to.

A. No, sir.

Q. I now ask you again whether those books or any of them have been out of your possession and in the possession and custody of some other person for any purpose whatever other than the persons who copied them and the grand jury and this committee? A. I think there was an inspector of election up at my

office to look at the district No. 4, to see whether the register roll was checked according to the one I had.

Q. What was the name of that inspector? A. Garrettson Morris, district No. 4.

Q. And did you give him the poll-list of that district, No. 4? A. It was the registry list; no poll-list.

Q. For comparison? A. For comparison.

Q. And did you leave him in a room separate and apart from where the others were working? A. Yes, sir; there were two of them; I don't know whether it was Conley or Petty; I won't be sure.

Q. And how many books did they have with them? A. Only one.

Q. And what was that? A. The register of district No. 4.

Q. Didn't they have the register or poll-list of district No. 2? A. No, sir.

Q. At no time? A. No, sir.

Q. Won't you please repeat again, in your own language, the language used by this inspector? A. He would like to see the register roll to compare it, to see if the other was checked off the same, to compare the two; he said it was all correct when he left; that their books were straight.

Q. Do you know whether or not when he said the other list, whether he referred to the list he had to file with the county clerk of Kings county? A. No, sir; I presume he had filed that before.

Q. Did you see the list he had with him? A. He had the list; yes, sir.

Q. And was it in the form of a book like this? A. It was in the form of a register.

Q. Did you look at it? A. Casually, as he brought it in and laid it on the table.

Q. Did he say anything about where he was going to file the list? A. No, sir.

Q. Do you know, as matter of fact, whether or not he returned to you the same list you gave to him? A. Yes, sir.

Q. How do you know it? A. By my own marks on the books of the district; those are all numbered from one to six in my own

handwriting, because I numbered them before I delivered them to the inspectors.

Q. Won't you be good enough to indicate to the committee to what you refer when you say by some marks made in your own handwriting? A. Fourth district, Kings county, that is in my own handwriting, after the word electors.

Q. Do you want this committee to understand that that same mark was not on all your lists that these men filed in the different places required by law? A. I think they were; yes, I put the same mark on all of them; the different district numbers.

Q. Then how would you know whether or not you received back the same book you gave to him? A. Well, I presume I did; I can't say that positively.

Q. You don't know, as a matter of fact, whether it was or not? A. I would say, yes, it was.

Q. Is it not a fact that you relied on the honesty of the person who received the book from you rather than any knowledge you had on the subject? A. Of course I believed he was honest.

Q. Will you tell the committee how long this person had custody or control of these books or book? A. I think it was about an hour; I didn't time him.

Q. Is not the fact that, when he got through that book, he gave it to you, and you put it back in the place of custody? A. I put it back with the books where Mrs. Pettengill was copying; she saw me take it and return it.

Cross-examined by Mr. Durack:

Q. You don't want to have the committee understand that the words "fourth district" was on every one of these books? A. The number of the district.

Q. How many copyists were present with Mrs. Pettengill in your office? A. They varied; nine one day, and some days less.

Q. How many days were they there altogether? A. I think it was four; I had to go away some of the days.

Q. You were not present during all of the time that all of the copyists were there? A. No, sir.

Q. And with the exception of the giving of this book into the hands of the inspector, and the time that the copyists had these

books in their custody, no other person has had them but yourself, or has had access to them in any way? A. No, sir.

By Mr. Elliott:

Q. Is it or not the fact that these inspectors were the only persons that took those books in a separate or private room away from the public, to make an examination of them? A. There was one more, I think, came one afternoon to compare whether they were checked off right.

Q. What book was that? A. I can't remember; I was in his presence a good part of the time.

Q. Wasn't that the second district? A. I could not positively say.

Q. But you will not say it was not the second district? A. It was either the second or third.

Q. The second district is the district where the 1,500 votes are recorded as having been voted? A. Yes, sir.

Q. You state that it was an officer who came to see these books? A. It was an officer; he just wanted to see if the one he had was checked off in accordance with the one I had.

Q. Did he do any checking off? A. Not to my knowledge.

Q. The poll-list he didn't have at all? A. No, sir.

Q. And on no occasion were the poll-lists taken? A. No, sir; only by the copyists.

Q. On what authority did he claim to make this investigation? A. I can't say whom he was sent by, he didn't say.

Q. Did he or not say that he was sent there by Mr. John Y. McKane to make this investigation? A. No, sir.

Q. What name did he give? A. He didn't give any name.

Q. You don't mean to say that you would allow a person who was a stranger, who had no authority, to go into a room and make an examinatinn of these books?

Objected to as immaterial.

A. I knew the party very well; I presumed they were public records.

The Chairman.—The question is, did you permit it? A. I did.

By Mr. Elliott:

Q. Would you have allowed anybody to come there and do that? A. No, sir; not any stranger.

By Mr. Harrigan:

Q. How long had you known this man? A. Seven or eight years; he is a police officer.

Q. Police officer down there? A. Yes, sir.

Q. And you have been accustomed to allow the records to be examined? A. Yes, sir; I understood that to be my duty.

By Mr. Elliott:

Q. And this man was a police officer? A. Yes, sir.

Q. And he was acting under the authority of Chief of Police McKane?

Objected to.

The Chairman.— You may ask the question, if he knows under whose authority he was acting.

Q. Under whose authority was he acting? A. As I said before, I don't know.

Q. Tell the committee what he said? A. He said he would like to see such a register list and compare it with one he had.

Q. What is his name? A. Theodore Storms.

Q. Do you know what number he is known by? A. No, sir.

Q. Do you know who the chief of police is of the town of Gravesend? A. Yes, sir.

Q. Who is it? A. John Y. McKane.

Q. And this officer was acting under John Y. McKane at that time?

Objected to.

A. Yes, sir.

By Mr. Durack:

Q. Was this police officer so far as you know acting in the capacity as a police officer when he saw you? A. No, sir; he was very often up at the office seeing other records; he was up there this morning.

William H. Friday, recalled in his own behalf, testifies:

By Mr. Elliott:

Q. You were down to Gravesend on election day, November 7, 1893? A. I was; yes, sir.

Q. How long were you there? A. I should judge between two and a half and three hours.

Q. And you were there previous to that election? A. Yes, sir; there many times.

Q. How often? A. I think about eight or nine times.

Q. Will you give the committee an idea of about the time you went down there, as to the day of the month and week? A. I think, if my memory serves me, my first visit was the twenty-first or twenty-second of October, and then following right on in succession almost daily, or every other day, from that time until election.

Q. Did you, while you were there, make a canvass of the town? A. A thorough canvass.

Q. In company with whom, if anybody? A. With Mr. Murch, who accompanied me on each visit.

Q. Did you see and talk with, on either of these visits, any of the residents of the town? A. I did; with a great many.

Q. Did you call in at the public-houses that were open? A. In about all that I found open.

Q. Did you, on any day immediately previous to election, about a week or three or four days, see any considerable number of citizens coming into the town of Gravesend? A. I did; yes, sir.

Q. Tell us what you know and what you saw and what you did, from say, about ten days before election? A. Well, I would say that after my nomination, I looked over the field in my district; I made up my mind that Gravesend was the weak spot in my district, and I governed myself accordingly.

Mr. Judge objects to the answer, and asks that the witness be required to state exactly what he did.

The Chairman.—I think, perhaps, if the questions were asked it would expedite the matter.

A (Continued). I then, from day to day, such days as I went down, visited the hotels and open houses, and private houses, and made myself familiar with the people and got acquainted with them and they got acquainted with me; and I found, after I had made one or two visits, from what I had seen and heard, it would be difficult to get an honest expression of opinion in Gravesend, for the reason that people would be afraid to come out, and I also found, from statements that were made, that my efforts would be worthless, for the simple reason that no votes that were polled, if there were any for me, would be counted.

Mr. Durack objects.

A. (Continued.) In my interviews with different gentlemen with whom I came in contact, I learned this.

By Mr. Durack: ,

Q. Designate the man? A. You don't suppose I asked every man his name; gentlemen like Mr. Joseph Goodfellow, Mr. Charles Buser, Mr. Overton, Mr. Duncan E. McKenzie—

By Mr. Elliott:

Q. John Y. McKane? A. Mr. John Y. McKane; and, of course, in making this canvass, I met very many gentlemen whose names I didn't ask.

Q. State what these gentlemen said? A. They told me that my efforts would be worthless; that no votes would be counted for me unless I could have Mr. McKane with me; and the promises that I did get were promises to me on the quiet, that the voting would have to be done on the quiet; and at Kronika's Hotel, at Sheepshead bay, I was distinctly told that, and that was the general intelligence that I received.

Q. Now I ask you if you observed any considerable number of citizens coming into the town of Gravesend a few days previous to election? A. I took special notice of it on Sunday, the fifth of November; I called very early that morning on Mr. Goodfellow, who had promised me the support of himself and family, and I called upon him with pasters, and I noticed while stand-

ing there an influx of a miscellaneous kind of people; for instance, hostlers and jockeys and bums; they had the appearance of being jockeys and bums and hostlers — under the sheds and against the fences, and they increased until 12 o'clock, so that the bar-rooms I visited were full; I couldn't help noticing that a large influx had come in that morning; then I went from there to Sheepshead Bay about 12 o'clock, and I spent the balance of my afternoon at Sheepshead Bay; but during that day I noticed a good many strangers I hadn't seen before, against the fences, and the bar-rooms were full; at any available place they would be standing in three and fives; that was on Sunday, November fifth, and I called Mr. Murch's attention to it.

Q. What can you say as to whether or not there were a large number of people in the town moving along the streets previous to this Sunday? A. Previous to this Sunday it was almost deserted; there was no apparent civilization at all; it was noticeable to any one; it was locked up; one trip I made through this so-called Bowery; I counted five places that were open, where 627 votes were registered.

Objected to, that he should say only what he did.

Q. I ask you whether or not you examined the registry list as relating to the Bowery and Gravesend, since election or before election? A. The list that was published in yesterday's "Eagle," yes, sir.

Q. And will you say how many persons you found as registered from the Bowery in Gravesend?

Objected to.

(The witness is withdrawn for the present.)

Hamilton Ormsby, called as a witness for the contestant, being duly sworn, testifies:

By Mr. Elliott:

Q. You are an attache of the Brooklyn Daily Eagle? A. Yes, sir.

Q. Where do you reside? A. Four hundred and thirty-five Macon street, in this city.

Q. Will you look at the paper shown you, and state to the committee what it is? A. It is a copy of the Daily Eagle of yesterday, January tenth.

The paper is offered in evidence.

Objected to by Mr. Judge.

The offer is withdrawn, and the paper is marked for identification, No. 24, of this date.

William H. Friday; examination resumed.

The question pending when this witness was withdrawn from the stand is waived.

Q. I ask you to look at Exhibit No. 24 for identification, of this date, and state what it is? A. It is a daily newspaper.

Q. Did you examine that paper yesterday for any purpose? A. No special purpose, except that I was reading it as a matter of interest.

Q. Did you see what purported to be a printed list of the second election district in the town of Gravesend? A. I did, sir.

Q. Did you count the number of persons who were alleged to have voted from that district in the Bowery?

Objected to by Mr. Judge, who renews all his former objections to the introduction of any testimony based upon this paper.

Question withdrawn.

Q. Were you down at Gravesend on election day? A. I was; yes, sir; I should judge about two and a half or three hours.

Q. What part of Gravesend were you in? A. I was up at the town hall.

Q. During that time will you tell the committee about how many persons entered the town hall for any purpose? A. I think I arrived at the town hall — I think I looked at my watch and it was half-past 10, and as I got out of the wagon I met Mr. McKane, who said pleasantly to me, he said he wasn't hurting me, but he wanted to down that man Gaynor; he made the remark loud enough to be heard by all the bystanders, when some one said they regretted I hadn't got down there earlier; they said they had all voted now; I visited the nearest booths and left my pasters; I also went into the adjoining hotels and

saloons where the men were congregated and scattered my pasters there, and I found they had all voted; I spoke to Mr. Abe Cole, one of the assessors, and I spoke to Mr. Stratton, who had on a badge; I forget the label on the badge, but I spoke to him and spoke about going inside the booths; he said, "They won't permit you to go inside; they will fire you out if you attempt to go inside;" I said, "I am a candidate; haven't I a right?" and he said, "No; if you go there they will fire you out;" and outside of the wagons coming in from the Boulevard, containing, I suppose, voters, that is about all the activity that I saw; it was so quiet that I left; I found everybody had voted and I couldn't do any good.

Q. Now, I ask you the specific question; about how many persons entered the town hall to vote, or for any purpose, from the time that you went there until you left? A. As near as my observation will permit me to judge, I should say — they came in wagons, as I stated, from the Boulevard, and I should judge that I saw perhaps five wagons, may be six, come in during the time that I was there; these wagons contained from six to ten people; they came there I supposed with voters, and they disappeared through the various voting booths and voted, but outside of that there were groups of men on the sidewalks and in the saloons.

Q. I put the specific question to you, and ask you from the time you went there until you came away, two and a half or three hours, how many persons went into the town hall, to vote or otherwise? A. I should say from fifty to seventy-five persons.

Q. What will you say is the largest possible number? A. As near as I could judge from where I stood, I should say my last figure was a good estimate of the number of people who passed in there.

Q. Being under oath, is it or not a fact that more than seventy-five persons went into that town hall during the time that you were there, for the purpose of voting, or for any purpose? A. I don't think there was from what I saw.

Q. I want you to say specifically as to the number? A. Of course, I didn't count them, but I should say that I should judge from fifty to seventy-five people passed into that town hall.

Q. Would you say, under your oath, that the largest possible number was not over a hundred? A. To the best of my judgment.

Cross-examined by Mr. Durack:

Q. I understood you to say that the twenty-first of October, you made your first visit to Gravesend? A. In that neighborhood, it may be the twentieth.

Q. Around that time? A. Yes, sir.

Q. Whom do you remember seeing on the occasion of your first visit there, as a resident of Gravesend? A. I saw a great many people; I remember seeing quite a bar-room full of people in what is known as Doyle's hotel.

Q. Who is the proprietor of that hotel? A. I do not know.

Q. You were not introduced to him, were you? A. I don't remember that I was; I didn't take down the names of the people I was introduced to.

Q. Did you speak that day with any person whose name you now remember, a resident of Gravesend? A. In this hotel?

Q. Yes. A. I can't say that I did; I didn't know I would have a contest to make; so, of course, I didn't take the names.

Q. You don't remember the name of any person whom you met that first day as a resident of Gravesend? A. I won't say that.

Q. Well, then, give us the names. A. I can tell you, I think, the names of the places that I visited, but I do not know that I can tell you the names of the people I talked with; yet I was known to very many of them; yet I didn't take down their names.

Q. Then, at present, you don't remember the names of any? A. Mr. Joe Goodfellow, Mr. Charles Buser is another.

Q. Did Mr. Goodfellow say that he would vote for you? A. He did, sir.

Q. Did Mr. Buser say he would vote for you? A. I think he did — I know he did.

Q. Any other person? A. I think, Mr. Niebendahl.

Q. He also promised to vote for you? A. Yes, sir.

Q. I suppose you spent money and treated the men? A. I had two or three beverages; yes.

Q. Did you go to any place but Doyle's that day? A. I did; yes, sir; I went to a place called the Surf Hotel, kept by Richard Gram.

Q. Whom did you meet there? A. I met a great many railroad men there.

Q. Do you remember the name of any of them? A. No, sir; I didn't ask their names.

Q. Do you remember how many you met here? A. Perhaps a dozen.

Q. You don't know the names of them now? A. I didn't ask their names.

Q. Did you ask those men to vote for you? A. I did.

Q. Did they state they would? A. They said if I got McKane with me, they would.

Q. In the first place you went to nobody besides Mr. Goodfellow and Mr. Buser, and they said they would vote for you? A. They did.

Q. Do you know how many others you went to? A. Perhaps four or five.

Q. Do you know who they were? A. I don't know their names.

Q. Do you know which election district Doyle's hotel is in? A. I think the second.

Q. How much money did you spend at Doyle's hotel that day? A. I couldn't tell you, sir.

Q. Did you file your expenses? A. I did; yes, sir.

Q. And you don't remember what you spent at Doyle's that day? A. I do not.

Q. Do you know what you spent at Gram's hotel? A. No, sir; I do not.

Q. Do you know how long you were at Gram's hotel? A. I guess half an hour.

Q. Did you talk with a person named McKenzie? A. I did; yes, sir.

Q. When did you talk with him? A. About the seventeenth of October, and I talked with him about the eighth or ninth or tenth of November.

Q. The eighth is after election? A. Yes, sir.

Q. In your conversation with Mr. McKenzie, had before election, what did Mr. McKenzie say; that he would vote for you? A. I don't know that we especially talked about that; but he did tell me there would be no use working there, for my votes wouldn't be counted.

Q. Did you call on any other person in the town of Gravesend? A. I called on Mr. Stratton.

Q. When did you call on him? A. On election day.

Q. Did you know him before election day? A. No, sir; I did not.

Q. Do you know what day you saw Mr. Kronika? A. Well, it was the Sunday preceding election.

Q. Did he say he would vote for you? A. I didn't see him personally; I saw a great many in his place.

Q. Did you talk with the men there? A. I did; yes, sir.

Q. Did you know the names of the persons whom you saw there? A. No sir; but they knew me.

Q. Did they say they would vote for you? A. They did, sir.

Q. How many of them? A. Oh, several; six or seven; perhaps ten.

Q. Altogether, can you recall how many visits you made to Gravesend between the time you were nominated and election day? A. I think eight.

Q. And on each of those visits you visited public houses, hotels, saloons and the like? A. Yes, sir; and private houses and all kinds of places.

Q. Can you recall the name of any other person you met or were introduced to in Gravesend besides those you have already given? A. I remember talking with Mr. Kreyer, of Kreyer's Hotel.

Q. What did he say? A. His opinion was the same as the others.

Q. What did he say? A. He said, if I could get my votes counted, I no doubt would get my share of votes.

Q. Did he say he would vote for you? A. He did.

Q. Did you meet a Mr. O'Connor? A. I did.

Q. What did he say? A. He said there would be no use in my coming there at all; that I wouldn't get any votes, and, if I did, they wouldn't be counted, unless Mr. McKane said so.

Q. Mr. Kronika and these other men you have testified about, did each one of those men say that to you? A. In effect; yes.

Q. Can you remember what they said in words? A. That was about the gist of what was said to me.

Q. You have testified that there were four individuals who told you that? A. There were more than that.

Q. Who else? A. Mr. Young.

Q. Where did he live? A. At Gravesend; he is a butcher.

Q. Can you remember what time it was you saw him? A. I think it was the fifth of November.

Q. Who introduced you to Mr. Young? A. Mr. Harmon, a butcher in Brooklyn.

Q. What did Mr. Young say? A. He called me aside and said he would vote for me, but it would have to be on the quiet.

Q. What did he mean by that? A. He said it would injure his business if it was known that he voted for me; he called me aside, and told me this confidentially.

Q. No one but yourself was present? A. The room was full, but he called me aside.

Q. That is five persons; can you remember the names of any more? A. There was five times five, if I knew the names; of course, I haven't got all these names.

Q. I am asking you for the names you have; can you recall any other persons? A. There were a number of gentlemen that I was introduced to in Mr. Kreyer's hotel, by name, and several of them I knew, but I can't recall their names.

Q. Do you know the business of any of those men? A. They were business men.

Q. Can you place in your mind any one of those individuals that you can describe to us with whom you had a conversation on this subject? A. Probably Mr. Kreyer can give you the names.

Q. Can you give the names? A. I can't give you the names.

Q. Are there any other names that you can call to mind in Gravesend, with whom you had conversation? A. I had conversation with Mr. Brown.

Q. Who is Mr. Brown? A. Of Brown's hotel; and Mr. Farrell, of Farrell's hotel.

Q. What conversation did you have with Mr. Brown? A. Well, about the same gist as the others I have spoken of.

Q. What did he say? A. He seemed to think my chances would be all right if I had Mr. McKane's approval; otherwise, it would be worthless.

Q. Did you say that you had Mr. McKane's approval? A. No.

Q. Did he say he would vote for you? A. He did.

Q. Did any person tell you why you would not be elected if Mr. McKane wasn't with you? A. Simply because I wasn't of Mr. McKane's politics.

Q. That is all; he didn't tell you any other reason? A. I don't know of any other reason.

Q. Now, on this Sunday, November fifth, you say you saw a great number of people coming into the town? A. Yes, sir.

Q. From what direction did those people come? A. They seemed to enter mysteriously; I don't know where they came from; I know I saw them there; they were there.

Q. If they came there; were they not there when you went down there? A. No; they were not; and I know it for this reason, I was in a part of Gravesend where it was particularly noticeable; there were so many fields, and I stood talking for over half an hour with a lady and gentleman, Mr. and Mrs. Goodfellow, and I noticed it especially that they came in, and I wondered where they came from.

Q. Were you at the railroad depot? A. I was back of West Brighton, at the residence of Mr. Goodfellow, back of Buser's hotel, and there are a lot of open lots scattered around there.

Q. Is that near Coney Island? A. It is in Coney Island.

Q. And you testify that you don't know how these people came? A. I don't know where they came from.

Q. Did you see any train come in? A. I wasn't near the depot at the time.

Q. Did you hear any bells of the trains? A. Oh, yes.

Q. Did you hear any wagons or carriages? A. Not at the time; no, sir.

Q. What hour of day was it? A. About half-past 10 in the morning.

Q. How long had you been in town before this struck you? A. About an hour.

Q. What part of the town had you visited previous to seeing this large number of people? A. I came down the King's highway to the Boulevard, and down the Boulevard to Surf avenue, and then through Surf avenue to these side streets.

Q. Had you seen any people that morning except Mr. Goodfellow? A. Oh, yes; quite a number.

Q. And how long had you been in this particular place? A. Before my attention was called to it, perhaps ten minutes.

Q. Who called your attention to it? A. I noticed it myself, and I called Mr. Murch's attention to it.

Q. You said your attention was called to it; who called your attention to it? A. I observed it myself and I called Mr. Murch's attention to it, and I called Mr. Goodfellow's attention to it.

Q. What did Mr. Goodfellow say? A. He said it was usual the Sunday before election.

Q. Who was with you? A. Mrs. Goodfellow, Mr. Goodfellow's wife.

Q. Did you stay there? A. Not very long.

Q. What reason have you for saying these men were hostlers? A. From their appearance, they were dressed to indicate to me that they were hostlers or laborers of that kind; they looked like hostlers, and very many of them looked like bums.

Q. How do you distinguish hostlers from bums? A. By their respectable appearance; I can't define a bum; you know what I mean.

Q. You think a hostler presents a more respectable appearance than a bum? A. I do.

Q. How do you distinguish the jockeys? A. From his colors, perhaps.

Q. How many did you see of these three classes? A. A great many.

Q. Can you give us any estimate? A. I certainly saw 100 if I saw one; over a hundred.

Q. You didn't see these people approach Coney Island by any means; you didn't see them come into Coney Island? A. No, sir.

Q. For all you know they might have been there for a long time? A. No, sir; they could not, because I didn't see them on my preceding visit.

Q. You didn't go into all the houses in Coney Island? A. I won't say I went into every one.

Q. You mean to tell this committee that from your previous visits, in all the houses and dwellings in Coney Island, it would be impossible for 100 people to be there without your knowledge? A. I will say I didn't see them before.

Q. What hour on election day did you come down to Coney Island? A. About half-past 10.

Q. You say you spent between two to two and a half hours there, if I understood you right? A. I think I spent two and a half hours there, if not three.

Q. Where did you spend all that time? A. Around the polls.

Q. All the time? A. Yes, sir.

Q. The polls for the town of Gravesend, I believe, are all in one building? A. Yes, sir.

Q. Do you know how that building is laid out on the inside? A. I never was on the inside.

Q. Do you know how many entrances there are to the different polling places in that building? A. Yes, sir.

Q. How many? A. I think there are six.

Q. What position were you in down there, as regards your own location in the town hall? A. I was all around the building; no other place to go to except an occasional visit to the hotel.

Q. Can you tell the committee the relation of those entrances to the building itself; how many were on each side of the building? A. There were three on each side.

Q. Do you remember whether it was the north side or the east side, or which? A. I don't know the points of the compass; there are three on the road side and three on the alley side.

Q. How wide is the alley? A. I didn't notice especially.

Q. You can't form any conclusion? A. Four or five or six feet; I didn't notice specially; I don't know that it is an alleyway; it is a sort of passageway leading up to the side of the building.

Q. It might be ten feet wide, mightn't it? A. It might be three.

Q. It might be ten? A. I didn't measure it.

Q. Can you give us any idea? A. It might be three or might be ten.

Q. From any one location you were at any one time, how many entrances could you see? A. I could see three on one side, or three on the other side, as I happened to be located.

Q. It would be entirely possible for people to be entering and going into the building on one side when you were on the other side? A. Hardly, because the intervals of my standing on one side were not long enough.

Q. How long did you stay on one side? A. I kept circulating among the people all the time.

Q. To and fro? A. No, sir; not to and fro; kept going among the people all the time, just as you would do if you were peddling tickets.

Q. You don't remember how long you were in any one location? A. Two or three minutes.

Q. I understood you to say you were on the piazza at the hotel a part of the time? A. Yes, sir.

Q. How many times did you view this voting from the hotel piazza? A. Well, I couldn't say further than this, that I say I mingled around among the people from one end of the building to the other.

Q. From your location, watching this voting going on, could you see the trains coming in? A. Yes, sir.

Q. Did you notice whether people got off the trains at this depot? A. I noticed one or two get off some of the trains.

Q. In two and a half hours, one or two is all you noticed? A. Very few, indeed.

Q. Will you still say that you only saw one or two? A. I didn't go up to the platform of every train; I went up to the platform of one train, because the crowd around attracted my attention; I went up to the platform of this particular train, and when I found why the crowd went up, I didn't go up the platform of every train, but mingled among the people.

Q. Then you can not say how many people got off? A. From what I saw, I should say two or three people.

Q. It would have been possible for more to have gotten off? A. Yes, sir.

Q. How many carriages or carryalls or vehicles of any description did you see there? A. I didn't count them, but they came up from the Boulevard; they kept rolling in from the Boulevard, carriages and carryalls, and they had all the way from six to ten people.

Q. Then, I understand you say, you only saw five or six wagons in the two and a half hours, carrying voters? A. Somewhere in that neighborhood.

Q. You are sure there were not more than that? A. Might have been ten, and might have been eight.

Q. You didn't count them? A. No, sir.

Q. And you didn't count the people who came in those wagons? A. I did not; my impression is formed from what I saw around the building.

Q. Have you stated to the committee all the conversations that you had with Mr. Stratton on election day? A. About all of the conversation.

Q. I would like to have you carry your mind back, because I want you to state to the committee, word for word, the conversation that was had? A. I met Mr. Stratton—

Q. Where did you meet him? A. Right at the edge of the stoop at the town hall on this alleyway side; I greeted him because he had a badge on, and asked him where there was any of our people down there.

Q. What did he say? A. I said, "Good morning; are there any of our people down here?" and he said, "No."

Q. Did you know him before? A. No; I introduced myself to him; he said no; there had been some down in the morning; seven, I think, he said; but they were arrested; I asked him if he was the only one representing the Republican party, and he said, yes; I said, "How does it look?" and he said, "You can't do anything here; everything is McKane; it is all McKane;" I said, "What are you doing?" he said, "I can't do anything;" I said,

"Can I go inside?" he said. "Don't attempt it, if you do they will fire you out;" at this time Mr. Cole came up, and I said, "I am a candidate;" and I think Mr. Cole said he didn't care a damn; that they would throw me out anyway; so I didn't make any attempt to go in.

Q. Were you within 150 feet of the polling place at any time? A. At the booths.

Q. Did you distribute any of your pasters within 150 feet of the polling place? A. I don't think I did.

Q. Did anyone molest you and prevent you from distributing your pasters? A. No.

Q. Did you have any other conversation with Mr. Stratton? A. I don't think I did.

Q. How long had you been down there? A. I made myself acquainted with Mr. Stratton just as soon as I arrived.

Q. Are you quite positive you didn't meet him again before you left? A. No; I won't say I didn't meet him.

Q. How long did this conversation between you and Mr. Stratton last? A. Four or five minutes.

Q. And the balance of the two and a half hours you spent in the neighborhood of the town hall, and so far as you remember you didn't see Mr. Stratton again? A. Oh, yes; I saw him.

Q. I mean did you have any conversation with him? A. I don't remember having any conversation with him, but I saw him a great many times.

Q. Was anybody with you on election day? A. Mr. Murch.

Q. You drove down there? A. Yes, sir.

Q. Did you have your dinner down there? A. No, sir; didn't have anything at all.

Q. Do you remember talking with any person immediately before you left Coney Island that day? A. I talked with John Kreyer.

Q. Do you remember the conversation you had with John Kreyer? A. Nothing special; I talked with his son, too.

Q. Did you, or did you not say this to Mr. Stratton, or did you say it to any person in Gravesend, on that day: "I am perfectly satisfied with the way they are voting in Gravesend," or words to

that effect — "I am satisfied I will get all the votes that are cast for me? A. No, sir; I did not.

Q. Did you say anything like what I said first? A. No, sir; I didn't make any such remark.

Q. Did you say, "I am surprised at the howl people are making about the way they are voting in Gravesend? A. No, sir.

Q. Did you express yourself satisfied with the voting at Gravesend? A. I said I was not molested.

Q. To whom did you say you were not molested? A. Mr. Murch.

Q. Was anybody else present? A. Yes, sir.

Q. Who was present? A. I couldn't tell you.

Q. Did you know the man who was present at that time? A. No, sir.

Q. He was a stranger, was he? A. As I tell you, there were groups standing all around.

Q. It is just as well to say he was a stranger? A. Yes, sir.

Q. What were the words used? A. I couldn't tell the exact words, but some one seemed surprised to see me there.

Q. Tell anything that was said in your hearing? A. That I wasn't molested, that personally I had been treated all right.

Q. Who made that statement? A. I made the statement.

Q. But you said somebody gave you a reason for making that statement? A. But you cut me off.

Q. I ask you to make the statement to me that was made to you which brought out that response from you? A. Some inquiry by a reporter was made as to the arrests.

Q. To whom was that inquiry made? A. To John Y. McKane.

Q. What was the inquiry? A. The reporters were looking for information, and either Mr. McKane or somebody had called attention to the fact that Republican candidate was present there, and I was pointed out to him, and he asked me if I had been molested at all, and I said I had not been molested.

Q. Is that all you said? A. That is all.

Q. Since election day have you visited Gravesend? A. Yes, sir.

Q. How many times? A. Once.

Q. Whom did you see at Gravesend ? A. I went over the same field that I had gone over before, and saw some of the same men that I had seen before.

Q. How many of them did you remember having seen on the last day ? A. I stopped in five or six or seven or eight places.

Q. And saw pretty much the same men you saw before ? A. Among those I saw before.

Q. Do you remember how many you saw this last day you went down there ? A. After election ?

Q. Yes. A. I had no reason to count them; I went from one to another.

Q. You have no impression as to the number of people you saw there ? A. I went there specially to find out the difference in the appearance of the place after election, as compared with it before election.

Q. Have you met any number of people at Coney Island, or at Gravesend, voters in that town, who stated since election that they voted for you ? A. Yes, sir.

Q. How many ? A. I couldn't say.

Q. Were there ten ? A. Yes, sir.

Q. Were there fifty ? A. Yes, sir.

Q. Were there 100 ? A. I wouldn't say that there was.

Q. Do you of your own knowledge know of any persons in excess of those who are accredited with voting for you at Gravesend who actually voted for you ? A. I don't know.

Q. Do you know how many people did vote for you according to the returns ? A. I know there weren't 300.

Q. Do you know how many voted for you according to the returns ? A. I haven't made any investigation of it.

Q. You are acquainted with Mr. William Cox, of the twenty-fifth ward ? A. Yes, sir.

Q. Did you have any conversation with Mr. William Cox relative to the voting at Gravesend ? A. Yes, sir; several times.

Q. Will you state to the committee what that conversation was ? A. I told him that I was doing my campaign work in Gravesend, and he simply laughed at me, and said I was wasting my time; that no votes I got there would be counted for me.

Q. What else did he say? A. He offered to make me a bet that I wouldn't receive fifty votes in Gravesend, for the simple reason that they wouldn't be counted.

Q. You did receive more than that? A. Yes, sir.

Q. Did Mr. Cox state his grounds of information? A. He seemed to have a pretty good knowledge of the place.

Q. Did he state his grounds of information? A. I can't say that he did, further than that he said he worked for Mr. McKane.

Q. He is not a resident of Gravesend? A. I don't know.

Q. As far as you know, he is a resident of the twenty-fifth ward? A. As far as I know.

Q. And has been for some time? A. He is now; that's all I can say about it.

Q. How did your vote compare in the twenty-fifth and twenty-fourth wards with that of others? A. I didn't make any comparison.

Q. Do you know how it compared with the vote for mayor? A. No, sir.

Q. Or for sheriff? A. No, sir.

Q. Do you know, as a matter of fact, that your vote was behind that of the mayor in those wards?

Objected to, and question withdrawn.

Q. Do you know how your vote in Gravesend compares with the vote for sheriff? A. I didn't compare it.

Charles C. Overton, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Elliott:

Q. You reside in the town of Gravesend? A. Yes, sir.

Q. And you have lived there how long? A. Fifteen years.

Q. And you were a voter at the last election? A. Yes, sir.

Q. Were you at the polls on election day in the morning? A. Yes, sir.

Q. About what time? A. Somewheres from 10 to 11 o'clock, I should say; I can't exactly remember.

Q. At the time you were there was there any considerable number of people at the polling places? A. Do you mean the town hall?

Q. The town hall; yes, sir? A. Quite a crowd; yes, sir.

Q. Was there a crowd in the polling place where the votes were being cast? A. I was only in one, where I voted.

Q. You saw persons in the town hall where the voting was being carried on? A. I couldn't see in the polling places because they were all closed in; I didn't go in the polling place, except where I voted.

Q. Will you give a general description of how those booths were erected, and how the districts were situated in the town hall, in a general way? A. You have a map there.

Q. Look at the map which I now hand you, and which purports to be a diagram of the town hall of Gravesend, and state whether, in your judgment, it is a fair diagram of the place where the booths were located on that day?

Objected to by Mr. Judge, that the witness has not been shown to be competent, and this diagram has not been shown to be made by this witness.

Objection overruled. Exception taken.

A. No, sir; that isn't the map at all; it shows the location of the town hall and the streets and the roads, but it doesn't show how the booths were located or the polling places in the town hall.

Q. Will you describe, then, to the committee, in your own language, the situation of the booths in the town hall upon election day?

Mr. Judge objects to the witness testifying from this map, which he says is incorrect.

The majority of the committee overrule the objection.

Mr. Judge excepts.

The minority of the committee sustain the objection on the ground that counsel for the contestant, in offering the map, states that such objection would be a good legal objection.

A. This map, showing the outline of the town hall, is correct in a general way, as regards the outline of the building, but as regards the division of the floor plan, it is not right; in the first place, that is supposed to be the whole of the building; the lower floor of the building was divided in the center by a partition; just a wooden partition through the center of a large room, from floor

to ceiling, and that partition didn't extend the whole length of the building; on the east end of the building were two rooms and the hallway, two rooms used for different purposes and the stairway; then the booths were all in the west end of the building, three on the south side and three on the north side, and each booth had an entrance on the alleyway or on the street; the alleyway was on the south side of the building, and on the other side it fronted on the Neck road, three on the north side and three on the south side, but as I said, the booths don't extend over the whole floor.

By the Chairman:

Q. Those entrances were entrances from the north side and south side into this large room where the six sets of booths were located? A. Yes; there were six election rooms.

Q. This large room, then, had been divided by temporary partitions, had it? A. Through the center first.

Q. First, east and west to the ceiling? A. Yes, sir.

Q. And secondly, two partitions running north and south? A. Yes, sir.

Q. So that large room was divided into separate rooms, and in each of those was a set of booths? A. That is the idea.

Q. And each room was entered from the outside? A. Yes, sir.

By Mr. Elliott:

Q. As a matter of fact, were the separations which are spoken of here, run up from the floor to the ceiling? A. Yes, sir.

Q. As matter of fact, can you approach each election district without crossing another, or could you enter one district without going into another; were there six separate paths from the street into the separate districts? A. I think not.

Q. Is it, or is it not, the fact that you could enter the election district to vote in the proper booth without crossing some other district? A. It depends upon which district you wanted to vote in.

Q. Suppose you wanted to vote in the third district, would you have to cross the second? A. Cross the first and second.

Q. Then you could not enter it without crossing the first and second? A. I should judge so.

By the Chairman:

Q. Do you mean cross it inside the building or outside the building? A. Outside the building; you mean the imaginary line.

By Mr. Elliott:

Q. Yes; we mean the imaginary line? A. I should say to vote in District No. 1 you would get into it all right, but to vote in district No. 2, you would have to cross district No. 1; and to vote in district No. 3 you would have to cross districts Nos. 1 and 2.

Q. And you couldn't go in to vote in District No. 3 without crossing districts Nos. 1 and 2? A. I am not conversant with the lines to tell you that.

Q. At what time did you vote on election morning? A. I should think about 10 o'clock.

Q. What was the number of your vote? A. I don't know, only what I was told in the Senate committee.

Q. Look at Exhibit No. 4, January 11, 1894, poll-list of the town of Gravesend, in the second district, and state to the committee what was the number of your vote on that day, as it appears on that record?

Objected to by Mr. Judge. Objection overruled. Exception taken.

A. Six hundred and thirty-three; that is what they have got it down here.

Q. Now, at the time that you were there, was there any line formed outside the town hall to any of these election districts? A. I didn't see any.

Q. Then will you answer the question, you were there? A. I was there.

Q. Then won't you answer the question whether there was or was not a line formed at the time you were there of any persons assembled there for any purpose? A. I didn't see any.

Q. You see me, don't you? A. Yes.

Q. And I am here; now, I ask you the same question; was there any line of voters formed for any purpose? A. You mean up to the polling place?

Q. Yes, sir? A. No, sir.

Cross-examined by Mr. Judge:

Q. What portion of Gravesend did you live in? A. I live on West First street.

Q. In what district is that? A. Second district.

Q. What is your politics? A. Republican.

Q. Are you an officeholder? A. Yes, sir.

Q. What office do you hold? A. Town auditor.

Q. Of the town of Gravesend? A. Yes, sir.

Q. Could you see all the people in the booths in the election district you were in, whether they were occupied or not? A. In the district that I voted?

Q. Yes? A. I believe they were all occupied when I voted.

Q. How many booths were in that district? A. Six.

Q. Were there eight? A. I think not; I think there were six.

Q. When you were in the polling place that you voted in — by that I mean this room — could you see what was done in any of the other districts? A. No, sir.

Q. And when you were on one side of the building, so as to have three of the entrances in view, could you see what was done on the other side? A. No, sir.

Adjourned until 1.30 o'clock.

After recess.

Duncan J. McKinley, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Elliott:

Q. You are a resident of the town of Gravesend? A. Yes, sir.

Q. And have been for how long? A. Twelve or thirteen years.

Q. Did you register and vote at the last election in that town? A. I did.

Q. What district did you reside in and did you vote in? A. Fourth election district, East Sixteenth street.

Q. I ask you to look at Exhibit No. 6 of this date, and state if you can see your name on the page of that book shown you?

Mr. Judge renews his objection to a similar question put to the last witness.

Objection overruled.

Exception taken.

A. Yes, sir; there is my name.

Q. What is the number that appears beside your name? A. One hundred and nineteen.

Q. At what time in the morning did you vote? A. I didn't look at my watch; about 9 o'clock, as near as I can say.

Q. And at the time you voted, was there any line formed? A. Any line formed; no; you mean in the polling booth?

Q. Yes? A. No.

Q. And about how long did you remain there? A. Long enough for myself and my son, who came after me, to vote.

Q. How long did you remain in the vicinity? A. From about 11.30 to 11.40.

Q. About two hours and a half? A. About 11.40.

Q. During all the time you were there, was there any line formed? A. I didn't go into the polling booth after that time; I saw no line formed extending into the street.

Cross-examined by Mr. Judge:

Q. How long have you lived in the town of Gravesend? A. Twelve or thirteen years.

Q. Where do you reside there now? A. East Sixteenth street, Sheepshead Bay; no number.

Q. Near what? A. Near the Brighton depot.

Q. What is your politics? A. Straight Republican.

Q. When you were in the polling booth, could you see all the booths? A. I didn't count them; I suppose I saw all; I looked around the room, and whatever was between the four walls of the room, I suppose, I saw.

Q. Were they full? A. No; the first one I went into was empty, so I should judge they were not full; I didn't look in the others.

Q. Your son was behind, was he? A. He was in the room; he voted after me.

Q. Had he finished voting before you came out? A. Yes; he finished before I came out.

Q. You voted in the same district in 1892? A. Oh, yes, sir.

Redirect-examination by Mr. Elliott:

Q. You are the secretary of the Republican association in the town of Gravesend, are you not? A. I was last fall, at the time of the general election.

Q. How many members are recorded on the books of the association?

Objected to as immaterial.

Objection sustained.

Question withdrawn.

Charles B. Feltman, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You reside in the town of Gravesend? A. Yes, sir.

Q. And you did on election day? A. I did.

Q. And did you vote in that town? A. I did.

Q. At what time? A. It might have been an hour after the polls opened; I left Brooklyn on the 6 o'clock train; I was in Brooklyn the night previous.

Q. Well, about what time, as near as you can tell? A. It might have been half-past 7 or quarter to 8.

Q. And in what district did you vote? A. The second district.

Q. You say it was about 7 o'clock? A. I think it was later than 7, quarter to 8, and might have been 8.

Q. Was it not later than 8? A. Possibly, it might have been; I couldn't say.

Q. As near as you can now recollect, will you tell the committee your present impression as to the hour? A. I should think it was about a quarter to 8; it might have been a half hour either way.

Q. Will you look at exhibit No. 4 of this date, and state if your name appears to be written there?

Mr. Judge renews his objection to this question.

Same ruling and exception.

A. Yes, sir.

Q. What number appears beside your name? A. Three hundred and thirty-eight.

Q. Was there any line formed at the time you voted? A. I had to wait, perhaps, two or three minutes before I could get in.

Q. Do you know what that number beside your name means? A. It seems to be the number of my ballot, according to the book.

Q. Was there rapid voting there when you were voting? A. That is something I couldn't say; I didn't take notice.

Q. Did you have to wait outside the booth about two or three minutes? A. Outside the booth for two or three minutes.

Q. And there were enough ahead of you to consume that time? A. It appeared so; it was a sort of a short line; I might have been the last in the line; I didn't notice.

Q. While you were there, there was continuous voting, was there? A. Yes, sir.

Q. Were men standing outside the booths? A. I didn't take notice.

Cross-examined by Mr. Judge:

Q. What are your politics? A. I am a good Democrat.

Q. Did you say you went down from Brooklyn on the 6 o'clock train? A. Yes, sir.

Q. Why was that? A. I was working the night previous at a ball; it was after the ball.

Q. Do you work in Brooklyn in the winter time? A. Yes, sir.

Q. And in Gravesend in the summer? A. Yes, sir.

Q. You call your place of residence Gravesend; is that right? A. Gravesend.

Q. That is where you live? A. That's where I live.

By Mr. Elliott:

Q. And that is the only place you live? A. That is my residence now.

Q. It is your residence, is it not? A. Yes, sir; I claim it as my residence.

Q. And has been there before? A. No, sir; I voted in Brooklyn year before last.

Q. Were you born in Gravesend? A. No, sir; I was born in Brooklyn.

Q. How long has Gravesend been your place of residence? A. I have been living in Gravesend on and off; might have been seven months there and five months in Brooklyn; or eight months in Gravesend and four months in Brooklyn; sometimes I live in Gravesend and sometimes in Brooklyn; I have business in both places; I have done this for eighteen or twenty years.

Q. How long have you been entitled to a vote? A. Two years; I am now 22 years of age.

By Mr. Judge:

Q. Your legal residence is Gravesend? A. For the present; I have decided to make Gravesend my home.

By Mr. Elliott:

Q. That is since election? A. No, sir; previous to the last election; after I voted in Brooklyn the year previous.

By Mr. Judge:

Q. Do you know any other people that are similarly situated as yourself in Gravesend?

Objected to.

Chairman.— If the witness can name any, he may do so.

Q. Do you know any person you can name who is similarly situated? A. The names I couldn't mention; I have met several who have been in the same circumstances that I am, but I couldn't mention any names; I have resided in Gravesend a part of the time, but I can't remember their names.

Q. What is the reason of your being in Gravesend or Coney Island a part of the time and Brooklyn the other part? A. Business; we have a business in Gravesend and also one in Brooklyn.

Q. Is that business partly closed in the winter time? A. Yes, sir.

Mr. Elliott asks that the part of the witness's testimony be stricken out in which he says he knows the men, but can't name them.

The Chairman.— The committee think the evidence may stand.

Q. Do you know Robert Armstrong? A. Yes, sir.

Q. Is he situated the same as you, working in Gravesend a part of the time? A. I believe he is; yes, sir.

By Mr. Elliott:

Q. He lives in Gravesend, doesn't he? A. I believe he does; I couldn't say where he lives; I wouldn't swear that he lives in Gravesend; I know the man, and upon information, etc., and from my own knowledge, I believe he is in the same circumstances that I am.

By Mr. Judge:

Q. Do you know Thomas Doyle? A. Yes, sir.

Q. Is he in Gravesend in the summer time? A. Yes, sir; he has a hotel there.

Q. Does he work anywhere else that you know of in the winter? A. I don't know.

Q. Do you know whether he is employed in the city? A. I don't know.

By Mr. Elliott:

Q. You don't know whether he comes to Brooklyn to live or not, do you? A. No, sir.

John V. Berry, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Elliott:

Q. You reside where? A. Brooklyn.

Q. You are employed where? A. I am doing statistical work for the newspapers, and more particularly for the Associated Press.

Q. Were you subpœnaed in this case to testify in behalf of the contested election of James Graham? A. I believe so; yes, sir.

Q. I believe you are a Democrat in politics? A. Yes, sir; I have been and am now, and I consider myself as good a Democrat as you are a Republican.

Q. Have you ever done any work for the Democratic national committee? A. I was their statistician the last campaign.

Q. And what has been your experience as statistician, covering what period of time? A. About twenty years, off and on, for the last seven years constantly.

Q. Can you tell us what the population of the town of Gravesend was in 1890? A. Yes, sir.

Q. What was it?

Objected to as immaterial.

Objection overruled by the majority of the committee. The objection is sustained by the minority of the committee. Mr. Judge excepts to the ruling of the majority of the committee.

A. The census returned for the town of Gravesend was 6,937 for 1890.

Q. Do you know what the population was returned by the State census in 1892? A. Yes, sir.

Q. What was that? A. Eight thousand four hundred and eighteen.

Q. Now tell the committee what time of year the census was taken by the United States enumerators, if you know? A. In June, 1890.

Q. And when was the census of 1892 taken? A. February, 1892.

Q. What was the difference in the United States enumeration and that of the State? A. One thousand four hundred and eighty, I think.

Q. With your experience as statistician, which do you think is the more reliable?

Objected to. Objection sustained. Question withdrawn.

Q. What are the different methods of taking census by these two classes of enumerators? A. The State census simply counted heads, and the only thing required of the enumerators was to determine whether the persons enumerated were citizens or aliens; in the United States census the enumerators were not only required to determine their citizenship, but also sex, age, color, nativity, occupation; and the adults, their financial condition and also physical condition, and in that way it differed very materially from the State census.

Q. Now, I put it to you in this form: Which, in your opinion, are apt to get at the true state of the census, the State enumerators or the United States enumerators?

Objected to as immaterial.

The objection is overruled by the majority of the committee. The minority sustains the objection, on the ground that the census, both of the State and the United States, are presumed to have been taken according to law, and are presumed to be correct.

Mr. Judge excepts to the ruling of the majority of the committee.

A. It would naturally be more difficult to pad the United States census than it would be to pad the State census, for the reason that it would take a very great expert to fill in a dozen names in the United States census and give in all the varied description and answers without getting mixed; and the State census he could put down any names and anyhow; there would be no check on him.

By Mr. Harrigan:

Q. Would not it be possible, however, for the United States census, by care taken on the part of the enumerators, to be just as correct as the State census? A. Yes; if the enumerators were both honest.

Q. If both were honest and both took corresponding pains in the performance of their duties? A. Yes, sir.

By Mr. Elliott:

Q. Is there any such requirement made of the State census enumerators as there is made of the United States census enumerators? A. No, sir.

Q. What is the average number of a family in this county, as returned by the United States census? A. Four and seventy-five hundredths to a family.

Q. What per cent of the inhabitants of Gravesend cast a vote in 1888 as based upon the census of 1890?

Objected to. Objection overruled on the ground that it will save time and labor, and testimony taken for the convenience of the committee.

A. You want the per cent of the voters based on the United States census of 1890?

Q. Yes? A. It was about 17.62, or about one out of every 5.67 inhabitants.

Q. And in the year 1889? A. Eighteen hundred and eighty-nine was the district attorney year.

Mr. Judge objects that there is nothing here shown upon which that computation can be made.

Objection overruled. Exception taken.

A. It was one out of five and three one-hundredths of voters and about 19.95 per cent; there were 1,180 votes cast for both parties that year for district attorney.

Q. And as to the year 1890? A. Eighteen hundred and ninety gave a vote of 1,256 and the per cent would run back again to about 17.70 or seventy-one hundredths, based on 12.26 of 6,937.

Q. And in 1891? A. Eighteen hundred and ninety-one was within a half month of the State census.

Q. Give it to me either upon the United States census of 1890 or the State census of 1892? A. It would be about 23.24 under the State census; it would be much larger than that under the United States census.

Q. And as to 1892? A. Eighteen hundred and ninety-two, on the State census would be about thirty-eight and twenty-eight hundredths.

Q. Now, about the vote of 1893, on the State census? A. It would be about forty-three and twenty-seven hundredths, very near, or twenty-eight hundredths; and on the United States census it would be about fifty-three per cent; I got these figures from the stenographer; she tells me the vote was 3,670, and that would be fifty-three per cent and a little over.

Q. What is the average vote in this State to the inhabitants? A. It differs very much.

Q. The average is what I ask for? A. That I couldn't tell you; I can tell you this city or almost any county in this State.

Q. We will take the county of Kings, then? A. The tenth ward of the county of Kings, when I made a calculation this fall one day, was five and sixty-seven hundredths; the eighteenth ward, based on a calculation last fall was very near nine; it runs up and down, fluctuates; counts vary very largely.

Q. That is an abnormal vote, is it not? A. The percentage of the vote depends a great deal on the kind of inhabitants liv-

ing in the district; if there are a great many aliens, of course, the percentage is larger; and if they are all citizens, it is very low.

Q. You have made a calculation as to Gravesend? A. I had to do it, because Gravesend is very eccentric.

Q. What do you mean by that? A. For instance, in 1891, Gravesend gave Flower 180, and gave Fassett, 1,788; and the next year, in 1892, it gave Cleveland 2,962, and gave the Republicans 290; and in 1893, this year, it gave the Democrats 3,505 and the Republicans 162; in three years prior to 1891, there weren't any Democrats down there by the returns, and in 1888 the vote was 392 Democrats and 834 Republicans; and in 1889, for district attorney, there were 272 Democrats and 968 Republicans; in 1890, in the vote for the sheriff, there were 233 Democrats down there by the returns and 1,033 Republicans, and that is the reason I had to keep track of Gravesend; it has given me more trouble than all the rest of the State.

Q. What is the difference in the number of the registered votes this year at Gravesend, and the number of inhabitants returned by the United States census in 1890? A. Well, it seems to me that there were 6,590 registered votes down there, and there were 6,937 inhabitants as returned by the United States census; the difference would be 437.

Q. What percentage of the vote would that be to a hundred? A. Ninety-four and ninety-nine hundredths.

Cross-examined by Mr. Durack:

Q. What is your present employment? A. I am doing some statistical work.

Q. For whom? A. For a paper.

Q. What paper? A. It is nothing relating to politics.

The Chairman.—I think you had better not go into private business.

Q. What statistics are you working on now? A. I am working on some tax statistics.

Q. What statistics were you working on a year ago? A. I was working for the joint tax committee; the counsel of the joint tax committee.

Q. Where were you getting those statistics from? A. From every direction.

Q. What did those statistics consist of? A. Well, I was hunting through the tax law of every State in the United States, gathering up all the laws on that subject in relation to taxation, figuring out the percentage of assessed valuation of the different counties in the State and the State itself, and the assessed valuation at one time of Brooklyn, and its personal property and its real property, and the State of New York, and its personal and real property.

Q. How long were you engaged in that? A. Off and on, quite a while; six months.

Q. Of last year? A. Last year, long before election.

Q. Did you ever live in Gravesend? A. No, sir.

Q. Did you ever do any business in Gravesend? A. I was down there for a little while one summer, six or seven years ago.

Q. Do you remember what year it was? A. Eighteen hundred and eighty-six; I know very little about the place.

Q. How long were you there at that time? A. I used to go down there every day; that is all.

Q. Were you engaged in any kind of business there? A. Yes.

Q. What business? A. I had a soda fountain there.

Q. And you don't remember how long you were in that place at that time? A. I was there every day for probably a couple of months.

Q. You lived in the city, did you? A. Yes; lived in New York.

Q. How many summers were you in the soda water business? A. That was the only time.

Q. The only summer? A. The only summer; yes.

Q. Are you engaged in the summer time generally in a business of that character? A. No, sir; never have been since.

Q. Have you at all times been connected with newspaper work in the twenty years last past? A. I have been doing statistical work for twenty years, and for the last seven years, with the exception of, probably, a couple of months, I have been doing it almost constantly; don't do anything else.

Q. How long were you engaged for the Democratic national committee? A. I commenced some time in the early fall and kept it up until the campaign closed.

Q. Until the seventh of November? A. Yes.

Q. Were you engaged by what has been designated in this proceeding as the legal bureau of any of the local parties here? A. No, sir; I don't know anything about it.

Q. You weren't engaged by them to make any statistics or computations? A. No, sir; I was paid by the sergeant-at-arms; that is all I know about it.

Q. Where did you get the figures of the United States census upon which you have made the computations? A. From the census bulletin.

Q. What bulletin? A. I forget the number of it.

Q. From what office is that issued? A. From the United States census office, in Washington.

Q. That is what is popularly known as the Porter census? A. Yes, sir.

Q. Where did you get your figures as to the State census? A. I got it from the Secretary of State's office; it seems to be an exhibit of the State Senate.

Q. Where did you get your returns of the voting upon which you based your computations? A. Some of them I made up; I kept a file of those things all the while for the Associated Press; I had been working for them, this is the seventh year, and I kept all those things.

Q. Where did you get those returns? A. Some of them direct from the office of the Secretary of State and the others from the Red Book.

Q. You didn't get any from the county clerk's office of Kings county? A. No, sir.

Q. As a statistician, as you claim to be, and according to your evidence, the State census was taken in February, 1892, and showed a population in the town of Gravesend of 6,418? A. Yes.

Q. From your knowledge as a statistician, as stated here, if a large number of people, men, voters, came into the town of Gravesend at a time subsequent to February, 1892, and elected to select Gravesend as their legal residence, and if that large number of men, at a subsequent election, cast votes as legal residents of

Gravesend, would your computation have any bearing upon the result of that election ?

Objected to as incompetent and immaterial.

The Chairman.— If the counsel will add to that question, a large number of men in addition to the residents there—

Mr. Durack.— I will add that to my question, of course; a large number of people in addition to the number stated in the census ? A. It would be worthless.

Harman W. Cropsey, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Elliott:

Q. Where do you reside ? A. Gravesend Beach.

Q. How long have you lived there ? A. Well, I have lived there since I was a boy, but not continuously.

Q. Did you vote at the last election in Gravesend ? A. Yes, sir.

Q. In what district ? A. District No. 1.

Q. Do you know about what time you voted ? A. About quarter after 11, as near as I can remember; just after 11 o'clock.

Q. Look at Exhibit No. 3, of January 11, 1894, and state to the committee, if you please, if your name appears upon one of the pages of that exhibit ?

Same objection by Mr. Judge. Same ruling. Exception.

A. It does.

Q. And what number ? A. Two hundred and seven.

Q. At the time you voted was there any line formed ? A. No, sir; I didn't see no line formed.

Q. How long were you in the immediate vicinity of the election booths and the town hall on that day? A. I was there about an hour.

Q. And during that period of time did you see any line formed to vote? A. No, sir; I don't remember of seeing any.

Q. Your answer is no, sir? A. No, sir.

Q. In what business are you engaged? A. Lumber and building material.

Q. Did you take any particular notice, or were you in the part of Gravesend about a week before, known as the Bowery? A. About a week before election?

Q. About a week or ten days? A. I don't recollect I was; I don't think I have been there since summer; I may have been there in the fall some time, September or October, but I don't think I was there within that time before election.

Cross-examined by Mr. Judge:

Q. When you were in the polling place, did you have any difficulty in finding a booth? A. No, sir.

Q. What is your politics? A. I am a Republican.

Q. Belonging to the Republican association? A. I do, if we have got one; it is a question whether we have got one.

Q. A gentleman by the name of McKinley to-day testified he was secretary of such an association? A. I believe I am enrolled on that association.

Albert Chambers, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Elliott:

Q. You reside where? A. Coney Island.

Q. And that is in the town of Gravesend? A. Yes, sir.

Q. And your business there is a druggist? A. Yes, sir.

Q. How long have you lived there? A. About twelve years.

Q. Did you vote at the last election in the town of Gravesend? A. I did.

Q. From what district? A. The third.

Q. About what time? A. About half-past 12.

Q. Have you made any examination of the poll-list of the third district, and are you able to find your name recorded there? A. I haven't examined them thoroughly; it is tiresome work; the probabilities are it is there; I know I voted there.

The witness is temporarily withdrawn.

Edward F. Lozier, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. Six hundred and thirty-eight-a Halsey street, Brooklyn.

Q. Have you, at the request of counsel, made an examination of exhibit No. 16, January 11, 1894, and compared it with exhibit No. 4, of January 11, 1894, to ascertain how many persons are recorded as having voted in what is known as the Bowery, in Gravesend? A. Yes, sir.

Q. How many do you find? A. I find the number 403.

Cross-examined by Mr. Judge:

Q. Mr. Lozier, are you familiar with Gravesend? A. Not to any great extent; no, sir.

Q. And the situations of the different parts of the town? A. Not to any great extent.

Q. Are you familiar with Coney Island? A. To some extent; yes, sir.

Q. Do you know where the Bowery is? A. I do; yes, sir.

Q. Do you know all the streets which include the Bowery? A. No, sir.

Q. Do you know anything more than that there is such a place in Coney Island called the Bowery? A. That is about all.

Q. I understand you to say you didn't know how many streets there are in the Bowery? A. No; I can't tell the number of streets.

Q. What is your business? A. Salesman.

Q. How came you to make this calculation? A. By request of counsel.

Q. When was that request made? A. This morning.

Q. Why were you here? A. I have been interested in the case.

Q. Personally interested? A. Not at all; I am a friend of Mr. Friday's, that is all.

Q. Are you employed anywhere now? A. Yes, sir.

Q. And are you such a friend that you attend here to the neglect of your employment, or away from your employment to watch this case because Mr. Friday is the contestant? A. I am not neglecting my employment at all.

Q. Is that true that you have such an interest in the case as that? A. I have interest enough to come here; yes.

By Mr. Elliott:

Q. You have been to the Bowery and you know it is only about three blocks long? A. Well, I couldn't tell you just how long the Bowery is; no; I know about the location of it, but I couldn't tell the exact length.

Albert Chambers, recalled:

By Mr. Elliott:

Q. At what time did you vote, Mr. Chambers? A. Somewhere near 12 o'clock, I think; I am not positive about it.

Q. What is your best recollection? A. That is the best of my recollection, about that time.

Q. You find your name recorded on the page of the exhibit shown you? A. Yes, sir.

Q. What is the number of it? A. The number is 334.

Q. And at the time you voted was there any line formed for voting? A. No, sir.

Cross-examined by Mr. Judge:

Q. What is your politics? A. I am a Democrat.

Q. Did you vote the Democratic ticket the last election? A. Yes, sir.

Q. Wasn't it before 11 o'clock that you voted that day? A. That I couldn't positively state.

Q. You were around town all the morning, weren't you? A. Not all the morning; no, sir; it was somewhere between 11 and 12, I should judge.

Q. You can't tell positively? A. No, sir.

Q. Did you hold a position under the Republican administration? A. Yes, sir.

Q. What position was that? A. Postmaster.

Q. Where? A. Coney Island.

Q. When did you get out of that employment? A. The thirty-first day of May.

Q. Who succeeded you? A. A man by the name of Hill.

Counsel for contestant states that he rests his case.

Mr. Judge asks that Mr. Elliott produce the people whose affidavits he has offered in evidence for cross-examination.

The chairman states that the committee will read over the affidavits that were offered in evidence before they will decide which of them, if any, they will strike out.

Further hearing in this case is adjourned until Wednesday, January seventeenth, at 10 a. m., the committee directing that counsel for the contestee will in the meantime serve upon counsel for contestant his answer in this case.

Counsel for contestee states that he will serve his answer upon counsel for contestant not later than Monday morning, January fifteenth.

Adjourned to January 18, 1894, at 10 a. m.

IN THE MATTER OF THE ELECTION OF MEMBER OF ASSEMBLY FOR THE SIXTEENTH ASSEMBLY DISTRICT OF KINGS COUNTY, NEW YORK, WILLIAM H. FRIDAY, CONTESTANT, AGAINST JAMES GRAHAM, CONTESTEE.

January 18, 1893.

Now comes the contestee answering the petition of the contestant.

First. He admits the allegations contained in the first, second, third, fourth and fifth paragraphs of said petition.

Second. Contestee, answering the sixth paragraph of said petition, respectfully refers the committee to all of the proceedings had in the suit of people ex rel. William J. Gaynor vs. John Y. McKane and others, including the appeal therein from the order of Mr. Justice Barnard and the stay granted therein and the opinions thereon of Mr. Justice Cullen.

Third. Contestee, answering paragraph 8 of the petition herein, admits that the certified returns show that 2,408 names were registered in and 1,512 votes were cast in the second election district of Gravesend on election day, and denies each and every other part of subdivision 1 of said paragraph; contestee denies that the order in which votes are numbered as voting shows any fraud and denies that any fraud whatsoever was

practiced therein; contestee denies all that portion of said petition contained in subdivision 3 of paragraph 8; contestee, answering subdivision 4 of said paragraph, has no knowledge or information sufficient to form a belief as to the truth of statements therein contained, and consequently denies the same; contestee, answering subdivision 5 of said paragraph 8, denies that any illegal votes were cast in the town of Flatlands on the last general election day; contestee, answering subdivision 6 of said paragraph 8, denies that any fraudulent votes were cast in that portion of the city of Brooklyn in which the Sixteenth Assembly district partly lies or elsewhere to his knowledge, information or belief.

Fourth. Contestee, further answering the petition herein, respectfully shows to this honorable committee that he is a resident and votes in the town of Flatbush, Kings county; that prior to and on election day he made a canvass of the Sixteenth Assembly district as the democratic candidate for Assembly; that he himself used no improper or illegal means to procure any vote to be cast for him or for any other candidate for any other office, and so far as the contestee saw or knows, no illegal votes were cast for him on that day; that contestee was at the town hall of the town of Gravesend, on November seventh last past, for a time not exceeding ten minutes, at about 2 o'clock P. M. of said day; that contestee saw a large number of people around the said town hall, but knew of no illegal voting going on there at that time or at any other time; that he was informed and believes that a large number of men who work at various callings at Coney Island in the summer time, make it a practice to retain at Gravesend a residence for the purpose of voting at the elections in said town, and that said men do not vote elsewhere, and that the apparent inconsistency between the census returns and the voting population is due to that fact, and not as alleged to the voting of repeaters, floaters or legal nonresidents.

Wherefore, contestee herein prays the petition herein be dismissed and that this committee report to the Assembly that the contestee herein is legally entitled to his seat as a member of Assembly from the sixteenth district of the county of Kings.

JUDGE & DURACK,

Attorneys for Contestee, 371 *Fulton street, Brooklyn, N. Y.*

CITY OF BROOKLYN, } ss.:
COUNTY OF KINGS. }

James Graham, being duly sworn, deposes and says that he is the contestee in this action, that he has read the foregoing answer and knows the contents thereof; and that the same is true of his own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

JAMES GRAHAM.

Sworn to before me, this 15th day of January, 1894.

WALTER L. DURACK,
Commissioner of Deeds, City of Brooklyn.

January 18, 1894.

Mr. Durack moves that all that portion of the petition of the contestant which alleges a conspiracy between one Stratton and John Y. McKane be stricken out of the petition on the ground that there is no proof adduced to that end and no effort has been made in that direction.

Mr. Durack makes the same motion as to that portion of the petition which alleges that ballots were cast in bulk on the same ground.

Mr. Durack makes the same motion as to that portion of the petition which alleges that the election officers copied from the registry list into the poll list such names as were most accessible, and exercised their personal choice as to the names they copied, on the ground that no evidence has been offered on that point.

Mr. Durack makes the same motion as to that portion of the petition contained in subdivision 3 of paragraph 8, "and that a resident of said town has informed your petitioner that the canvass in the said second district was completed sooner than that of the fourth district in said town."

Mr. Durack makes the same motion as to that portion of the petition in subdivision 5 of paragraph 8, which alleges "there were 181 illegal votes cast by persons who represented themselves as residents of Barren Island," a part of the town of Flatlands, on the same ground.

Mr. Durack makes the same motion as to that part of the petition contained in subdivision 6 of paragraph 8, and moves that subdivision 6 be stricken out on the same grounds.

Mr. Durack.—I make this motion for the purpose of narrowing this case to the limits that appear to be prescribed by the contestant himself.

I further move that the affidavit of Charles Murch, attached to the petition, be entirely stricken out, on the ground that Charles Murch himself has attended personally every one of these hearings and has been available as a witness and has never been called on the stand.

The motions are denied upon the ground that if the allegations in the petition are not proven they will hurt no one, and on the second ground that the petition forms a part of the papers filed with the Legislature and the committee has no power to strike out anything which the Legislature has already received.

Mr. Durack asks the privilege of renewing this objection before the whole committee.

Mr. Durack.—I now wish to make an omnibus motion that the petition herein, so far as the contestee is concerned, be dismissed on the ground that the contestant has failed to adduce one particle of competent or legal proof to show that the second election district or the third election district of the town of Gravesend or anywhere else on election day, or previous thereto, any illegal, fraudulent or corrupt acts were committed or done by any persons to the harm or injury of the contestant, or of his right as a candidate for the office of Assemblyman for the Sixteenth Assembly district. And on the further ground that the evidence that has been offered to this committee concerning the ability of men to vote was evidence not competent, as it was taken at a time subsequent to the day of election and in the absence of the contestee and in the absence of any person in his interest or representing him. That all the evidence that has been adduced here to the effect and end that they were people voting or claiming residence in the town of Gravesend has been entirely hearsay evidence that would not be competent in any legal proceeding whatever. And I ask that the petition so far as the right of James Graham to a seat in the Assembly be dismissed.

Motion denied. Exception taken.

Mr. Durack reserves the right to appear before the whole committee with this motion also.

Henry N. Henderson, called on behalf of contestee, being duly sworn, testifies as follows:

By Mr. Judge:

Q. Where do you reside? A. Coney Island.

Q. How long have you resided there? A. Ten years.

Q. Did you vote in Gravesend at the last election? A. Yes, sir.

Q. In what district? A. Third.

Q. What is your business at Coney Island? A. Restaurant keeper.

Q. Have you many employes? A. Yes; about from 100 to 120.

Q. Is that all the year round? A. No, sir; through the season from about the thirtieth of May until the tenth of September we closed last year.

Q. Do most of those 120 live on Coney Island? A. No, sir.

Q. Is that their residence? A. They claim that, a large percentage of them.

Mr. Elliot objects to what people claim and moves to strike out the answer. Motion granted.

The Witness.—Well, I couldn't tell what percentage of them reside at Coney Island.

Q. Did they tell you that they claimed that as their residence?

Objected to; objection overruled; objection withdrawn.

A. As far as their residence is concerned—

By the Chairman:

Q. No; do they claim that? A. I don't exactly understand, did who tell me? I don't exactly understand what they want to find out.

Q. Did the 120 men tell you that? A. No, sir; the 120 men didn't tell me so.

By Mr. Judge:

Q. About how many, if any, told you? A. According to my best judgment seventy-five per cent of those people are residents and legal voters.

Q. When you voted on election day in the third district was there a crowd around the town hall, and around the election booths? A. Yes, sir.

Q. And inside the polling place were all the booths full (and rapid voting going on)?

The part of the question in brackets is objected to as calling for a conclusion, and is withdrawn.

A. When I went in the polling place to vote I had to wait probably a minute before I could get into one of the small booths to prepare my ticket, and there were probably half a dozen other persons waiting in the room as near as I can remember.

Q. What is your politics? A. Republican.

Q. Are you a member of the Republican association of the town of Gravesend? A. Yes, sir.

Q. Did you officiate in any capacity at the last election? A. I officiated as watcher.

Q. In what district? A. In the sixth.

Q. Who was the other watcher, the other Republican watcher? A. Mr. Henry Sturdevant.

Q. From whom did you receive your watcher's certificate? A. Well, I couldn't tell you who I received it from. The day previous to election Mr. Stratton, an executive member, asked me if I would serve the next day as one of the watchers, and I told him I would.

Q. The executive member of what? A. Of the town Republican committee; and the next morning I arrived at the polls just before the opening of the polls, and somebody handed me my watcher's certificate, and I couldn't tell who the person was.

Q. Was that certificate signed by any one? A. It was signed by Mr. Buttling and Mr. Wray and Mr. Williams and Mr. Stratton.

Q. Who is Mr. Williams? A. I think Mr. Williams is the chairman of the town Republican association.

Q. Do you know whether or not it is necessary to have a personal registration in the town of Gravesend? A. I have understood that it was not.

Objected to.

A. (Continued.) Before the election I inquired if it was necessary for me to register in person and I was told that it was not necessary.

Q. Do you know? A. No, sir, I don't know.

Q. Are you acquainted with the second district of the town of Gravesend, the place called the Bowery. A. Yes, sir; I do business there.

Q. Were there a good many houses erected in the Bowery last year? A. Yes, sir, a good many.

Q. About how many? A. Well, I should judge there was somewhere from fifty to sixty.

Q. And how many people would they accommodate, in your opinion? A. Well, in my opinion, I should think — you mean the new residences that have been constructed in the last year?

Q. The new hotels, yes? A. Well, I should judge, say from 1,000 to 1,500; I have never been through all the different buildings and I couldn't be accurate.

Q. Were you around the sixth election district all day in the town of Gravesend as a watcher? A. I was not inside of the booth all day; I was in and out; I was in when the polls opened and in and out all day until after the vote was counted.

Q. Did you see any fraud or any intimidation against any voters, either Republican or Democratic at that poll on that day? A. No, sir.

Q. Or at any of the other polls around the Town Hall? A. No, sir.

Q. Did you see any one hindered from voting? A. No, sir.

Q. Was there a crowd around the Town Hall nearly all day or all day? A. Yes sir; there was a crowd around there all day.

Q. How many houses did you build in the Bowery last season? A. I built two, but we leased property; I think there was somewhere about twenty-five buildings with what we built ourselves and with what was built on the ground that we leased of other tenants.

Q. What per cent. of the employes employed by you in your opinion would be eligible to vote in the town of Gravesend?

Objected to. Objection sustained as already answered.

Q. From what you know of the Second Election District of the town of Gravesend, would you think 1,512 votes was a disproportionate vote to the electors in that district? A. No, sir; I would not; I think it would compare very favorably with the increase in the business and rents and everything else in that district.

Q. Is there a large increase in the population in the summer time from June to September, October and November? A. The people begin to go there along about the first of April, and from that time till the balance of the season there is a very large increase in the population.

Q. What time did you get to the polls on election day? A. About half-past six.

Q. Before the polls opened? A. Before the polls opened.

Q. Were you inside the polling place when the polls were about to be opened? A. Yes, sir.

Q. Did you see the wrappers taken off the different packages of ballots and preparation made to vote? A. Yes, sir; I see them making preparations; I didn't pay speical attention.

Q. Did you see the ballot box? A. Yes, sir.

Q. Was it empty? A. Yes.

Cross-examination by Mr. Elliott.

Q. What do you say your name is? A. Henry N. Henderson.

Q. And you testified before the Senate Committee? A. Yes, sir.

Q. Do you recall how long you told them you had lived in Gravesend? A. I think I told them nine or ten years.

Q. Don't you now recall, it was only a short time ago? A. No, sir; I couldn't recall.

Q. Isn't there a difference of three years between your present testimony and your testimony before the Senate Committee only a few days ago? A. I couldn't tell you that, but I think not.

Q. The question is simply is there or not a difference of three years between your testimony given before the Senate Committee and the testimony given before this committee? A. There might be.

Q. It is a very simple question; yes or no, if you please? A. I can't tell you, sir.

Q. You say that you had employed 120 men last year? A. Yes, sir.

Q. Give us the names and addresses of them, won't you? A. I couldn't give the addresses.

Q. Give us the names? A. I couldn't do that without reference.

Q. What reference do you require to make? A. I would require to take the list from my pay-rolls.

Q. Will you furnish that list to this committee? A. Yes, sir.

Q. When will you do it? A. I will do it right away.

Q. Very well; please give us the persons named and addresses? A. I couldn't give the addresses because I never took the addresses.

Q. How do you send for them to come and vote? A. I don't have to do that.

Q. Didn't you say they came to vote at every election? A. No, sir; I didn't say so.

Q. Then you can't give us the addresses of any of them? A. I could not here; no, sir.

Q. Will you, at any time; will you do it or not, or can you do it? A. I might of a few; there might be a few that has worked for me several years that I might be able to find the address.

Q. But you won't bind yourself to give the addresses of any of them? A. It would cause me a good deal of trouble to look up the addresses; there is some of them I could find the addresses: I never took the addresses of any of them.

Q. Do you want this committee to understand you as saying and meaning that these men who work for you from year to year come back in the fall and vote in the town of Gravesend without any inducement? A. No, sir; I don't wish —

Q. What is the inducement? A. That I can't tell you; I have never made any arrangements with them.

Q. Who makes the arrangement for them to come back and vote? A. I never knew that there were any such arrangements made.

Q. How then do the town authorities get the addresses of the individuals to put them upon the registry? A. That I could'nt tell.

Q. You know as far as your own men are concerned, don't you? A. No, sir.

Q. Do you want this committee to understand that upon that question your mind is a perfect blank? A. Yes, sir; as far as any connection that I have with voting except my own vote.

Q. You spoke in your testimony of "we"; who are the "we" that build houses down there with you? A. Mr. Stratton

was my business partner up to last fall in the building of houses.

Q. He is also a Republican? A. Yes, sir.

Q. Do you both belong to what is known as the McKane Association? A. I don't belong to it; I can't answer for him.

Q. What is your best knowledge of that subject; did you ever hear it whispered about that such was the fact? A. I heard him testify before the Senate Committee a few days ago that he did belong to it.

Q. Was that a surprise to you? A. No, sir, it was no surprise to me, but I didn't take any interest in it.

Q. Are there persons, residents of the town of Gravesend and who share your political faith that are known as McKane Republicans? A. I don't know as I ever heard anybody styled as a McKane Republican.

Q. You never heard that sobriquet before? A. No, sir.

Q. How long have you lived in Gravesend? A. I have lived in Gravesend ten years; I have been in business there for ten years.

Q. You know McKane? A. Very well; yes, sir.

Q. Will you tell the Committee the population of the town of Gravesend from your knowledge in the Bowery on the seventh day of November last? A. That would be impossible.

Q. Why? A. Simply because I never took the census and I never paid any attention to it.

Q. You say you have lived there for ten years; your business is in the Bowery; you say you have been interested in the building of two houses and you know of a thousand, and you say you want this committee to understand that you can't tell this committee how many people were in that district. A. My intended answer was that the new accommodations that had been put up last year to the best of my knowledge and belief, would accommodate somewhere from 1,000 to 1,500 people, but I have never been to those buildings to take an account of their rooms and capacity, and I probably might not be accurate.

Q. Your business is still there in the Bowery? A. Yes, sir.

Q. And it was on the 7th of last November? A. My business place was closed then.

Q. But you still carried on the business there? A. No, sir; I closed the 10th of September.

Q. How about the other place that accommodated a thousand, were they full? A. I couldn't answer that.

Q. What is your best belief on that subject? A. There is a a great many of those places that are open to-day.

Q. I am speaking now of the 7th of November? A. I didn't make any special note of it on the 7th of November.

Q. You were very much interested in the election on the 7th of November, weren't you? A. I can't say that I was; no, sir.

Q. Your property is there, and you were recognized as a Republican, and chosen as a watcher; do you want the committee to understand that you took no interest in the situation of affairs? A. No special interest.

Q. You came here to enlighten this committee on the manner in which the affairs were conducted on the 7th November, didn't you?

Objected to that the witness was subpœned here. Objection overruled.

A. I was subpœned to come here before the committee, and I am perfectedly satisfied to answer any questions or give any information if I can do so intelligently.

Q. You said there was no fraud committed in Gravesend on the 7th of November that you saw? A. No, sir.

Q. And you voted at one district and was a watcher at another? A. Yes, sir.

Q. You claim to know that there were houses erected in Coney Island during the past year to accommodate a thousand people? A. To the best of my belief I think I can take you there and show you to your own satisfaction.

Q. And you were interested in the building with Mr. Stratton of a number of houses down there, two of them of your own? A. Yes, sir.

Q. Upon those facts I ask you won't you kindly enlighten this Committee about how many people were living in the gut or Bowery, so-called, in Gravesend at that time?

Mr. Judge objects to the word gut and moves to strike it out.

A. It is a different location.

Q. Answer the question with that word stricken out, please? A. There might have been five or six hundred people.

Q. I know there might have been, but I want your judgment? A. I couldn't give you an accurate figure, because I didn't happen to be on the Bowery that day.

Q. See if this will be your answer, you don't know? A. I don't know.

Q. Then you are not posted? A. No, sir.

Q. If I correctly understood you, you said in response to counsel for the contestee that where you went to vote there were a number of people in line waiting and that you had to wait over a minute, isn't that so? A. I said I had to wait in the room I should judge about a minute; I did wait.

Q. Didn't you have to wait a good deal more than a minute when that big crowd was there? A. No, sir, I think as near as I could tell it was about a minute before I could get one of those booths to prepare my ballot in.

Q. You waited a minute before you got in the booth? A. As near as I can recall.

Q. How many minutes did you wait in the booth? A. Well, it might take me half a minute to prepare my ballot.

Y. I know it might have? A. As near as I can tell I was there half a minute.

Q. Then how long did it take you to vote? A. Well, I walked across, I think the distance is about six or eight feet, and handed my tickets to the inspector or poll clerk.

Q. How long do you suppose then it took you to vote altogether, waiting, the time in the booth and depositing the ballot, giving your name, and having ballot received and seeing it properly deposited, before you had performed the functions of a voter? A. From a minute and a-half to two minutes,

Q. Do you think it was less than two minutes? A. Yes, sir.

Q. You think it is safe to say a minute and a-half? A. Yes, sir; I don't think it will consume more than a minute and a-half.

Q. You are well known down there? A. I presume I am.

Q. And you made known the fact that you were a watcher and wanted to get right away? A. No, sir.

Q. When did you vote? A. I couldn't tell the time; it was sometime before I went to my dinner.

Q. Do you know the number of your vote? A. No, sir.

Q. Would you be surprised to find that it was No. 12? A. No, sir.

Q. You wouldn't be surprised to find out that at 12 o'clock you voted No. 12? A. I would be surprised to find out that at 12 o'clock I voted No. 12, for I voted before 12 o'clock; I voted somewhere between the time polls opened and the time I went to my dinner.

Q. The question I put to you was would you be surprised if your vote was No. 12 and you voted when you went to your dinner? A. I said I voted before I went to my dinner; I know it was in the forenoon, but I didn't make any note of the time.

Q, Do you speak about doing anything just after dinner if you do it after breakfast? A. No, sir.

Q. Don't you think that when a man says he does a thing some time before dinner that he means just preceding his going to dinner; don't you know that that doesn't mean just after breakfast? A. I claim that my answer is correct.

Q. The question is simple; I want you to try and answer it or say that you can't. A. I don't know what other men would mean; I don't mean to infer that it was just before I went to dinner.

Q. Then won't you explain yourself? A. I mean to say that I can't tell the time that I voted, but it was in the forenoon; it was between the time the polls opened and the time I went home to my dinner.

Q. When did you go home to your dinner? A. About 12 o'clock.

Q. And when did the polls open? A. I think at 6:38.

Q. Then it was somewhere around five hours after the polls opened? A. Yes, sir; and it was in that time that I voted.

Q. You want several hours margin, is that it? Other people were delayed were they not, in voting as well as you were, in that crowd? A. After I voted I came out; I didn't see any further.

Q. There were others on the line besides yourself? A. It was not a line; the people were standing in the room.

Q. Well, any way you want it; whether it was in a group or a line or twisted or screwed or any other manner, there were people there left behind you to vote? A. Yes, sir.

Q. And there were people in front of you who didn't get in right away? A. The people that was in front of me were in the booths preparing their tickets I presume; the booths were full.

Q. Were you the first person known to vote after the booths were empty before you, or not? A. After I prepared my ticket I came immediately out and deposited it, and I went in the booth as soon as it was vacated; there was another man in this particular booth and as soon as he vacated the booth I followed him with my ticket and went in and prepared my vote and came out and deposited the vote and then walked out of the place.

Q. Let me see if I can make myself plain; you were there; there was a crowd there, whether large or small, and you had to wait; is it not the fact that you had to wait a minute or two minutes or more? A. About a minute.

Q. And after you went in the booths you left somebody else still waiting to vote did you not? A. Yes, sir.

Q. And when you came out some of them were still there? A. Yes, sir.

Q. And you were in the place how long altogether? A. As near as I can tell I was inside of the place two minutes.

Q. Now you saw some of the same persons standing outside waiting to vote that you left there when you went in, did you? A. I didn't pay special attention; the people that were standing there when I came out might have been other people that came in.

Q. Did you recognize a single person in the room that was waiting there to vote who was there when you went in to vote? A. No, sir; I didn't make any note of any special individual.

Q. Then you didn't pay special attention to what was going on at Gravesend that day? A. No, not special, only general.

Q. Did you read over you own ticket? A. Yes, sir.

Q. How long did that take? A. I didn't time it.

Q. Did you read it over in a hurry or leisurely? A. I don't know that I hurried particularly.

Q. You didn't propose as a good Republican that the wicked Democrats should deceive you as to how you voted, and you therefore read your ticket through, didn't you? A. Yes, sir.

Q. And you say you are a Republican? A. Yes, sir.

Q. You wish to be classed as such? A. Yes, sir.

Q. Did you vote the Republican ticket on last election day?

Objected to that counsel has no right to ask the witness how he voted. Objection overruled, the chairman stating that the witness may answer or not as he deems proper.

A. I shall refuse to answer.

Q. Upon the ground that it will tend to degrade and incriminate you? A. Simply as my right.

Q. No, no; do you decline to answer upon the ground that your answer will tend to degrade and incriminate you? A. No, sir.

Q. Then please answer.

The objection is renewed and sustained.

Re-direct examination by Mr. Judge:

Q. Do you know as to the registry list, whether it is copied from the last year or not? A. No, sir.

By the Chairman:

Q. You spoke of erecting buildings upon leased lands; who was the owner of that land? A. Mr. Stratton and I owned the land, but we leased it to other parties to erect buildings on.

Anson M. Stratton, called on behalf of contestee, being duly sworn, testifies as follows:

By Mr. Judge:

Q. Where do you reside? A. Coney Island, town of Gravesend.

Q. What is your business now? A. Retired from business about two years ago.

Q. What is your politics? A. Republican.

Q. Did you hold any office in the Republican association in the town of Gravesend, or did you around election? A. Executive member.

Q. What do you mean by executive member? A. I was the only member of the Republican general committee in that town under the reorganization, and, consequently, was the executive member; attended the executive board meetings here in Brooklyn.

Q. And who is the president? A. Henry R. Williams.

Q. And who is the secretary? A. I have forgotten who is secretary.

Q. At that time; I mean around election time? A. I think it is McKinley; but I am not positive; I wasn't there when they elected me executive member.

Q. You were elected executive member in your absence? A. Yes.

Q. How long have you lived in Coney Island? A. 10 years.

Q. You did business there a part of the time? A. I done business under the firm of Stratton and Henderson.

Q. Where was your place of business? A. Right where Mr. Henderson now is, him and his son.

Q. What part of the island is that? A. On the corner of the Bowery and Henderson's Walk.

Q. In the part of Coney Island that is called the Bowery? A. Yes; we owned and developed the principal part of the Bowery.

Q. Do you own much land there? A. We do own, I suppose some people would call it much, and others might not call it so.

Q. How much is it, about? A. The concern together represents a little over 300 feet wide, running from the avenue to the ocean, that they own, and then we have a lease of about 240 feet wide, and commencing 150 feet south of Surf avenue, and running to the ocean.

Q. Are there many houses, or is it all covered with houses, that which you own? A. Our property is pretty well covered, but not all covered.

Q. Was there many houses erected there in the last year or two? A. Within two years and a half on our property I think there was fifty-four or fifty-five new buildings erected.

Q. Were those erected by you? A. Not all of them; in some cases we leased the lots and the parties that hired the lots put up the buildings themselves; I now refer particularly to the property that we own, not what we lease.

Q. Is all of the Bowery in the second district? A. Yes, sir.

Q. Will you give the committee a description of the Bowery? A. The second district runs from Eighth street to the Point, west, about two miles long, and then it forms a spur that runs to the Town Hall and takes on quite a section over there, what they call the gut, where there has been a number of flat houses built, but how many I can't tell; Mr. Hamilton, I know, built quite a number there.

Q. What is the accommodations there for people in the Bowery? A. Well, now, the only section that I examined was a section that belonged to us and about 300 feet west of us; I went down there and made a map for Mr. Edward M. Shepard, the Assistant Attorney-General; in that map, running from the avenue to the ocean, and directly west of us, there were something over, I think, fifty-seven houses, if my memory serves me right, on that piece, and fifty-six out of the fifty-seven has been built within two and a half years.

Q. And about how many people would these houses accommodate? A. In the section that we built there and the section that I examined for Mr. Shepard I should say there could be 1,500 people accommodated there, more to-day than there could three years ago.

By Mr. Elliott:

Q. You mean on the 18th of January? A. Yes, sir, or the first day of last July, or the first day of May either; there is very little building there as a rule between May and January, though this season is an exception; there is quite a little building there now.

By Mr. Judge:

Q. Were these hotels and houses that were built in this section that you have been testifying to rented in the same manner, for hotels, for waiters, employes, and for their general accommodation? A. I don't understand you.

Q. Give a description of the kind of houses that are there? A. These new houses that I speak of will run all the way from 15 to 20 feet deep and one story high, and from 65 feet wide to 240 feet deep, and three stories high. Some of them, the majority of them, are two stories high, but many of them are three, and some are only one. Some have extensions with four or five rooms even on the first floor. A party getting a lease for a short term, for five years, they would naturally build one story and put two or three rooms in the rear; while a party getting ten or fifteen years' lease, would build two or three story houses, according to their means.

Q. What is the character of the buildings and accommodations for people in and around the Bowery in the Second district? A.

You understand that the Bowery runs parallel with Coney Island and parallel with the main avenue, which is Surf avenue, and then crossing this is a number of walks laid out; for instance this walk that I speak of, Mr. Henderson's walk, thirty or forty feet wide, it runs from the avenue to the ocean, about 1,000 feet long, and there is six or seven of those walks that run from the avenue crossing the Bowery. And all along these walks, many of them, they are all improved.

Q. And as a matter of fact the second district takes in nearly the whole of Coney Island, does it, that is the improved part? A. Yes, sir.

Q. Were you at the town hall on election day? A. Yes, sir.

Q. For how long? A. All day long.

Q. Where you there at the opening of the polls? A. I got there a few minutes after the polls opened and I left about the time the polls closed, it might have been five or ten minutes before.

Q. What district did you vote in? A. I voted in the third; my house is in the third.

Q. Was there a crowd around the town hall all day? A. Why yes, there always is.

Q. Do you know how many votes were cast in the Second district? A. Of my own positive knowledge, no, any more than what I have read and heard.

Q. From what you have read and heard? A. A little over 1,500.

Q. Would you consider 1,500 a disproportionate amount to be voted in that district? A. Not at all.

Q. In proportion to the electors? A. In proportion to the electors and in proportion to the increase in population.

Q. And all this property you have been testifying to is in the second district, is it? A. Yes, sir; there is no money in any other district.

Q. Did any of those people to whom you leased property, did you say anything to them in respect to their becoming residents of the town, citizens of the town? A. I have always made it a point whenever I lease or rent a building, if I rent a building or lease a piece of ground I impress upon the tenant the necessity of becoming a permanent resident of the place.

Q. In these smaller hotels are the rooms rented to the employes? A. As a rule they are, and the reason for that is this: That a person comes along and hires a house with four or five or half a dozen rooms, and they rent three or four of them; and if they rent them to waiters or people engaged on the island they can keep them occupied four or five months, while if they rent them to transients they can get more for them when they rent them, but they are not occupied so long and the receipts from permanent tenants at the end of the season amounts to a great deal more than it would from transients.

Q. Is it the custom for these waiters and other employes to come back to Coney Island from year to year to work? A. Oh, yes.

Q. Did these employes that have rooms there, and other people, if you know, come back on election day to vote in the town? A. Yes, sir.

Q. As the executive member of the Republican town association did you receive any watcher's certificates? A. Well, the morning before election I received a letter from the campaign committee to come to headquarters and get the printed paraphernalia for election immediately, and after breakfast I went down to headquarters supposing it would be a small package that I could carry, but I found two or three large packages and quite heavy, and two or three small ones; I got into the car and went home, and just met my son going out driving, and his wife was in the carriage and she got out and my son drove his horses down to headquarters and we put the stuff in there and he drove me down to the town hall, or Captain Williams' office, which is just to the left of the town hall, and left all this printed matter, and my son drove me to the Island and he went home; I live on Garfield place near Eighth avenue; after lunch I started on my way back to Brooklyn and stopped at the town hall and there met Captain Williams, and we filled out —

Q. Who is Captain Williams? A. He is captain of the association; we made out the list of watchers and both signed them, and the captain took them to serve.

Q. What do you mean by you both signed them? A. I signed them as executive member and he as chairman of the town organization; I supposed at the time that it was necessary for me to.

Q. Were they signed when they received them? A. Signed by Mr. Buttling as chairman, and by Mr. Wray as secretary of the Kings County Republican organization.

Q. Could you, from your knowledge of Coney Island, tell the Committee how many people are actual residents of Coney Island, or were, say in July? A. Oh, no, I could only guess at it.

Q. What do you think is the population? A. You mean the floating population or the permanent?

Q. What is the floating population? A. I should say 50,0 0 a day, about, and 5,000 permanent.

Q. Did you know Mr. Friday the contestant here? A. I saw Mr. Friday down at the Town Hall on Election Day.

Q. Did you have any conversation with him in which you said that it was all McKane, he had no show, or words to that effect? A. Well, now, I said to Mr. Friday, as I remember, after standing awhile there; finally he said that he would go home, that he was perfectly satisfied that it was a fair, honest election, and I think I did reply to him that he could do no good there, and if there was any place where he could do any good, he better go, that it was all one way there, on account of the excise question.

Q. You had no conversation from which it could be inferred that anything was being done to defraud him of any votes? A. Not the slightest.

Q. You say Captain Williams then took the watcher's certificates? A. Yes, I left them with him.

Q. On election day you were in and around the various districts were you, in the town? A. Well, I didn't go into the polling places so much, but frequently went in the door and looked in to see that everything was going right.

Q. And were people constantly voting? A. Yes.

Q. Did you see any fraud? A. No, sir; [nor I don't believe there was any fraud].

The part of the answer in brackets is objected to and stricken out upon motion.

The witness: I saw no fraud.

Q. Did you see any one intimidated? A. No, sir.

Q. Did any one come to you, any Republicans or any Democrats, as an officer of the Republican Association and complain

that they were being defrauded or intimidated? A. No, sir; not one; I had my badge on all day.

Q. What did it say on your badge? A. Kings County Campaign Committee, I think.

Q. Any designation of party? A. Kings County Republican Committee.

Q. What was the color of it; do you remember? A. I think it was white, with gold letters; no; it was was white, with blue letters I think, the last election.

Q. Was there a large crowd around the town hall on that day? A. Yes, sir.

Q. All day? A. Yes, sir.

Q. In your opinion was there any cessation of the voting; constant voting all the time? A. There seemed to be a continual crowd coming and going, many in wagons and many on the trains; some from the city and some from the island.

Q. And if any fraud was committed do you think you would have seen it? A. That is what I was there for.

Q. And if anyone was hindered or delayed from voting you would have seen that? A. I would certainly have heard of it or seen it.

Q. And you saw nothing there on that day which would be a fraud against Mr. Friday or would deprive him of any votes? A. No, sir; absolutely nothing; nor against anybody else.

By Mr. Durack:

Q. For the benefit of the committee will you please state to the committee the reason so far as you know why such a small number of people voted the Republican ticket in the town of Gravesend? A. It is on account of the Republican party being on the wrong side of the excise question; when a man engages directly or indirectly in the sale of liquor, has his bread and butter staring him in the face, you can't blame him.

Cross-examination by Mr. Elliott:

Q. You have been asked as an expert your opinion as to frauds; have you seen enough of fraud to know it when you see it? A. In some lines I think I have.

Q. You have seen enough of it down there to know it when you see it, have you? A. I never saw much fraud on Coney Island.

Q. You have seen a little fraud there? A. I never saw any

Q. And you came to Gravesend ten years ago? A. Yes.

Q. And you were a good Democrat there, weren't you? A. Yes, sir.

Q. Did the atmosphere of Coney Island change you into a Republican? A. Well, I will tell you; while I have always been a Democrat up to about six years ago, since then I have been a good, true Republican; while I have always been a Democrat previous to that time, I always had a little weakness for the Republican party, and at the time that the Kings County general committee turned the entire town upside down I very willingly turned over to the Republicans, and I have been a Republican since, and when McKane and the rest of them went back I stuck and I propose to stick.

Q. You belong to the McKane association? A. The social association, it is not a campaign association.

Q. And you are a large builder down there? A. I am no builder.

Q. You are a large property owner? A. Yes, sir.

Q. And by reason of that fact you have to come in constant communication with the town authorities? A. No, sir.

Q. Do you mean to say your influence is not worth anything? A. I never exert any influence.

Q. You haven't any influence? A. I don't know but I might have if I tried.

Q. They did everything without being asked? A. I never asked them to do anything improper.

Q. You must not infer that my question referred to anything improper; but you have to come in daily contact with the town authorities? A. Socially, I have; I mean that I see them.

Q. Everything that you do in the shape of building or in the shape of leasing or in the shape of securing the interests that you secure for your tenants, have you to come into contact with the town authorities ever? A. No; I write my own leases.

Q. Then you haven't to go to the town for anything; you never have to go to the excise board, to the police board? A. I have gone; yes; I don't mean to say never.

Q. And you generally got what you went for? A. Yes, sir; always got what I went for; for I never went for anything that wasn't proper.

Q. Now, having always had it, there wasn't any occasion why you should change your politics because of personal interest? A. None whatever.

Q. How many Republicans do you know in the town of Gravesend who vote as you do? A. Well, not many; I don't believe if all the Republicans in the town of Gravesend were put together, I don't believe there is 200 of them.

Q. And they all belong to the McKane Association? A. No; not all of them.

Q. Do you know any of them that don't? A. There is plenty.

Q. How many? A. I don't suppose; I can only guess at it; but I don't suppose that one-fourth of the Republicans in the town belong to the John Y. McKane Association.

Q. Can't you name some that do; wasn't there more than that number that went to Washington with him in 1888? A. That was an exception; yes, sir; there was, I think, 300 of us went; I don't know how many went for Cleveland at the last election.

Q. I suppose they all went? A. I didn't go.

Q. You voted the straight Republican ticket? A. I did, sir.

Q. From top to bottom? A. I did, sir.

Q. Didn't you even scratch Friday? A. I didn't even scratch Friday nor any other man, nor Monday either; I voted the straight Republican ticket from A to Z.

Q. How many did you get to do it with you? A. I didn't get many, but I got all I could.

Q. Then your influence doesn't amount to much down there? A. Not that way, no, sir; not against a man's bread and butter.

Q. Then it is against a man's bread and butter to vote the Republican ticket in Gravesend? A. I think it is. If I was a poor man to-morrow and engaged in the sale of liquor in the town of Gravesend, I would no more be a Republican than I would think of dying.

Q. Then how much you are worth would interfere with your principles? A. Well, I will confess that while I am a strong Republican my bread and butter goes ahead of that every time; and so does yours. But I have got to a stage of the game where I can afford to be a Republican. I am not asking anything of McKane nor anybody else.

Q. Suppose I make the confession to you that up to the last election I never voted for anybody but a Republican, even for

constable? A. I wouldn't be surprised; you are like myself; you have got enough, only you don't know it and I do.

Q. You are a pretty good-natured fellow? A. My wife says so, and she has tried me for almost thirty years.

Q. You are a pretty hard fighter, too? A. Well, most thick-necked men like you and I are.

Q. Being a hard fighter and being in the town of Gravesend, and living in the atmosphere of so redoubtable a chieftain as McKane, you are a pretty good friend of his, are you not? A. I am a pretty good friend of Mr. McKane's, but not because I live there.

Q. And you would go a long way to serve a friend, wouldn't you? A. Yes, if it was right; there is nothing on the calendar that I wouldn't do to serve a friend if it was right.

Q. And you knew on the day before election when you went down to the general committee to get those watcher's certificates that Mr. Gaynor and his friends were endeavoring to secure watchers of their own for the town of Gravesend? A. No, sir; I did not; I did not know it when I struck the polls on the morning of election; I had no more idea of it than nothing; didn't dream of such a thing.

Q. Do you read the papers occasionally? A. Yes, sir.

Q. And do you mean to tell this committee that you had no knowledge of the fact that there was any disturbance? Do you or not know that Mr. Gaynor had been endeavoring for several days before election to secure a copy of the registry list of the town of Gravesend? A. Oh, yes; I knew that.

Q. Didn't you know that for at least three days previous to election—it was published in the "Brooklyn Daily Eagle" and other papers—the application was to be made to Mr. Justice Barnard to restrain the watchers that were appointed at Gravesend from watching? A. No, sir.

Q. And when you came to the Republican headquarters on the morning before election you didn't hear it there either? A. No, sir, I did not; and I didn't know it till I struck the polling place in the town of Gravesend on the morning of election.

Q. Do you read the newspapers? A. Yes, sir, I do as a rule; I read the "New York Herald" and the "Eagle" every day, But, for instance, if I have got an engagement and am going out early in the evening, I may not read the *Eagle*. Now this morn-

ing I didn't get an opportunity to read the *Herald*, because I had to be here at ten o'clock, and I did'nt get out of bed till eight.

Q. Do you remember to have had any engagement the night before election? A. No, I don't think I had.

Q. Did you read the *Eagle* the night before election? A. I don't know whether I did or not.

Q. Can you say whether you did or not? A. No, I can't.

Q. You remember the night before election? A. I remember the night before election.

Q. And you can tell this committee all you did that night, can't you? A. Well, I don't think I could. I wouldn't like to tell this committee where I go every evening, and I am not sure but I went somewhere that evening that I wouldn't like to tell this committee.

Q. You were a watcher? A. No, sir.

Q. Did you have some charge of the watchers? A. Just the same charge as every executive member has.

Q. And did you look in the paper to see what time the polls opened? A. No, I don't think I did; I knew they opened about six o'clock in the morning.

Q. Didn't you think it was important to know to tell the watchers what time to be there? A. They have forgotten more about politics than I ever knew; I am no politician. I never held any place or position in my life outside of the executive member, and I think that is a mistake.

Q. You think it is more valuable to be a power behind the throne? A. It is not a question of power with me, I am past all that.

Q. How old are you? A. Fifty-seven years old the 27th day of next month.

Q. A man comfortably well enough off to have retired from business, owning a large plot of property in the town of Gravesend you want this committee to understand that being a man who is strong in the maintenance of his rights, strong, true Republican, that on election day you did the very best you knew how to see to it that the Republican party got no votes at all, and the Democratic party got all the votes? A. Oh, no; I didn't do anything of the kind.

Q. Wasn't that the result of your action? A. No, sir; I got all I could.

Q. And all of the watchers that were appointed by you were all out and out Republicans? A. So far as I know.

Q, And they voted the Republican ticket on election day? A. So far as I know.

Q. And they reported to you as the executive member that no fraud was committed at the election on election day at Gravesend? A. I didn't hear any of them say that there was, and I asked a number; my son was a watcher in the second district and I asked him the night of election; he is troubled with compensation of the heart, and after he got home I asked him and he said nothing was wrong in the world.

Q. And as far as you know there is not a Republican vote that was cast in the town of Gravesend that was counted? A. Oh, I believe there were, firmly.

Q. And you are perfectly satisfied as a Republican with the result? A. In that town?

Q. Yes. A. Yes, perfectly.

Q. Will you tell us how many voters there are in the Second district? A. I can't tell you how many voters there are for I have never counted them, but I can make an estimate: I think there is accommodation in the Second district for 5,000 voters.

Q. I have asked you how many voters there are? A. I don't know, sir.

Q. Will you tell this committee of the 50,000 you say are there on an average, how many of that 50,000 were in the Second district on the 7th of November last? A. I wasn't there myself so I couldn't tell.

Q. Since this election is over and these proceedings have been taken in court and elsewhere for the punishment of alleged election frauds in the town, have you seen Mr. McKane? A. Yes, sir.

Q. And congratulated him about the result in Gravesend? A. Oh, no.

Q. Have you said a word to him about it? A. I won't say I never said a word to him for I have, I think, but not to congratulate him as to the result.

Q. Will you say you have not in the presence of others; will you not say that you have personally shaken hands with Mr. John Y. McKane and congratulated him in getting the best of Mr. Gaynor in Gravesend? A. I deny ever saying such a thing

as that; Mr. Gaynor was my counsel for ten years, and there wasn't a man on the ticket that I would rather have seen elected than Mr. Gaynor.

Q. Did you have any conversation with Mr. John Y. McKane that purports to be that you congratulated him on his success? A. Oh, No, sir; I may have congratulated him on his success in getting his seat; why? because he is as honest —

Q. The point I now ask you is this: Have you or not, in the presence of other persons in the office of Chief John Y. McKane, congratulated him upon the successful result of the election in the town of Gravesend since the seventh day of last November? A. No, sir, nor anywhere else.

Q. Have you been on bad terms with him since the seventh of November? A. Oh, no; I am as friendly with him as I ever was, and more so; the thicker the cloud the stronger I will stick to him.

Q. And of these alleged charges against him, of course you don't believe one of them? A. Not one of the charges against him except — well, no not against him.

Q. What reservation do you make, you said "except"? A. I make no reservation whatever; I believe he is just as innocent of crime on election day as you or I.

Q. Suppose it could be shown to you that there is a register book containing two thousand and odd names and that there is a book known as the poll-list that contains 1,500 of those odd names, and the names on the poll-list are the same in numerical order as they are in the registry books, and you were subsequently told that in order to have that so on election day each one of those persons must be numbered, and must be there in numerical order, and it was told you that somebody who bore that same name must be there, would you believe that that was honest?

Objected to; objection overruled; exception taken.

A. I tell you honestly I can't answer that question for I really don't understand it; there is half a dozen questions in one.

Q. Then you can't answer it? A. No, sir; I can't answer it intelligently; I will tell you what I will do; if you will reduce it to writing, after I get through I will step over there and read it and come back and answer it in a minute.

Q. Suppose then it could be shown you beyond peradventure that Mr. McKane or Mr. somebody else with whom you had a strong friendship, that you would stand by them, as you said, if it could be shown that the statements embraced in that question were true, would you still stand by him? A. I wouldn't stand by him if it was shown to me that he was wrong; life is too short for me to stand by men that are wrong.

Q. Then there is a chance for you to have your faith shaken by evidence? A. Oh, certainly; if that is the question I can answer that.

Q. That being so, do you believe that 1,500 voters voted from the Bowery on the seventh of November last? A. No, I do not, from the Bowery; the Bowery is only a small part of the Second district.

Q. Haven't you said the Bowery embraced two-thirds of the district? A. No, I didn't say that. I did say that the Bowery contained a large number of voters.

Q. What do you mean by that? A. I mean by that that I wouldn't be surprised if on the Bowery, and right near it, I say I believe on the Bowery—I mean south of Surf avenue—I wouldn't be surprised if there could be accommodated not less than 3,000 voters in the district south of Surf avenue, starting at West State street and running to about Fifteenth street; there are seven blocks.

Q. You take an active interest in politics, don't you? A. Well, no sir, I can't say that I do, a very active part.

Q. You did before the seventh of November, didn't you? A. I take as active a part now as I did then; I never took no other active part.

Q. You were the executive member? A. I was.

Q. And the chief officer of the Republican party down there? A. I don't know who voted for me; I never asked anybody to vote for me.

Q. You didn't accept any office without doing the duties incumbent? A. No, sir.

Q. And therefore you did the best you could for that office? A. Yes, sir.

Q. And wasn't it your duty to do the best you could to get votes for the Republican party at Gravesend? A. I did.

Q. How many did you get? A. I can often get a man to vote for one man when I can't get him to vote the Republican ticket. I claim the credit of running Buttling for sheriff about seventy-five ahead of his ticket.

Q. Then Buttling was the only man you worked for? A. No, sir; I worked invariably for the whole ticket, when I could, and when I couldn't get them to vote for the whole ticket I did work then for Mr. Buttling.

Q. How much of the Bowery do you own, or are interested in? A. I guess pretty near half of it.

Q. And owning pretty near half of the Bowery, and the Bowery polling there pretty nearly 1500 votes, will you tell this committee how many votes you, as the executive member, and this large property holder, controlled on this last election day? A. I can't tell, for I have no way of knowing how a man votes when he comes to the polls.

Q. You say that in making all your contracts you try and persuade all the men with whom you come in contact to make their lease run a certain length of time and to become permanent residents? A. I have always done that.

Q. And to influence them to come back and vote at election? A. I have always done that.

Q. That being the fact, and you holding that influence with these individuals, do you want this committee to understand that you could control but ten votes for Mr. Friday in the Second district on election day? A. I mean to say the people differed with me, and that their bread and butter was in one scale and Mr. Friday in another, and they voted against him.

Redirect-examination by Mr. Judge:

Q. Did you say to Mr. Friday, on election day, that there was no use in his coming there, everything was one way, and they wouldn't count a vote for Friday, anyway? A. No, sir; I said nothing of the kind.

Q. Anything resembling it? A. No, sir; the nearest I think I told him there was no use in his staying there, that the town vote always went substantially one way, and by his remaining there I didn't think he could get a vote, or something like that, and I don't think he could if he stayed there a month.

Q. You were about to state why all the votes were one way? A. My idea, I know what I would do, as I told you before, if I was a poor man and engaged in the sale of liquor, I would be a Democrat first, last and all the time, because the Democratic party favors the rum seller; I never drank a glass of liquor in my life and I have sold a thousand barrels of it; I say a man is a fool to sell it but a man is a damned fool to drink it, and I have told thousands so.

Q. About the registry, do you know anything about how the registry is made up; do you know whether they have to come there personally? A. No; the law as I have always understood it, they are compelled to copy the previous list and then add any new comers to it.

Q. Can they be added except on the last day without appearing personally as you understand it? A. Why, certainly, I understand that they can all through the State.

Q. Were there many new buildings erected outside of your place? A. Oh, yes.

Q. When you say you belong to the John Y. McKane Association, the social portion of it, what do you mean? A. The John Y. McKane is a social organization; usually just prior to election the association gets together and they pass a resolution —

Q. With any other association? A. They, with themselves first, they pass a resolution to resolve themselves into a campaign committee: the Henry Osborne Association does the same thing; and the two associations get together and they endorse any man on the ticket, and of course as there is two associations endorsed, so the vote goes.

Q. Are there many members of these two associations in the town? A. Oh, yes; I don't know how many.

Q. Do you take any part in this campaign committee when they organize as a campaign committee? A. No, sir.

Q. Either of the McKane or the Osborne? A. No, sir; never.

Q. And this action of these two associations is largely the reason why the vote goes in one direction, is it? A. Oh, yes; sure.

Q. Is there any section of the town in which there are a great number of Republican votes cast? A. Over in Bensonhurst; Bensonhurst is made up principally of private residences but not

altogether; Uhlmer Park is there and I suppose they must have 100 or 200 people in their employ during the summer season; bnt outside of that the rest of it is substantially private residences, and there is where the bulk of the Republicans live in our town.

Q. Is there any portion of the town towards the city from which voters come to the town hall in trains, other than coming direct from the city? A. Certainly.

Q. What places are they? A. Anybody that lives on Coney Island has to come to the Town Hall in the train or else walk or come in a carriage; and in Bensonhurst it is the same way, and Gravesend Beach and Greenfield and Sheepshead Bay; I take the train every election morning, myself, and go down and vote.

Q. Do you vote in Brooklyn? A. Oh, no, sir.

Q. And there are others that do the same as you do, that you know of? A. Yes; plenty of them.

Re-cross examination by Mr. Elliott:

Q. During the election day you went into one of the hotels with my friend Friday and had a social glass? A. I had a glass of soda water.

Q. Do you recall telling him there that there was no use of his stopping there; there was no Republican votes there? A. No; I may have told him he couldn't get any; he got 16; that is big for that town.

Q. In the second district? A. Oh, no; not in that second district; I didn't devote my time exclusively to the second district; I took in the whole town.

Q. Is it not a fact that Mr. McKane runs the town of Gravesend? A. He don't run me.

Q. I mean with the exception of you? A. No, he don't; I know plenty of men he doesn't run; I have paid Mr. McKane thousands of dollars for buildings he put up prior to six or seven years ago, before he retired from the building business; he has never paid me one cent in his life in any shape, form or fashion for anything.

Q. And the people that he built for had to get licenses from his board; didn't they? A. No; from the excise board.

Q. In the town of Gravesend? A. Certainly.

Q. And he has nothing to do with the excise? A. No; I never heard of his having anything to do with it.

Q. Most of the buildings put there were buildings that contained saloons? A. If anybody wanted to pay the rent they could, yes.

Q. They all have saloons? A. No, not all of them.

Q. The majority of them? A. I guess the majority of them do.

Q. And the majority of them have to have a license? A. If they sell liquor they have to have a license.

Q. And somebody has to give that license? A. The Town Board, the Excise Board.

Q. Don't you know that before election day Mr. McKane sits down with somebody and says: "Well, we will give Mr. Jones for County Clerk so many votes, and Mr. Smith for Register so many votes, and Mr. So and So for some other office so many votes," and he divides up the town in that way; don't you know personally or from rumor that he has done that for years? A. No, sir, I don't know it, nor you don't know it, nor anybody else on this earth knows it; they may think so.

Q. Haven't you seen some such thing as that published in the daily papers again and again? A. Why, certainly; I have seen it published in the papers over and over again; I will tell you what I do know.

By Mr. Judge:

Q. What do you know? A. I do know that I pursuaded Mr. McKane, Dan Lake and I, went after McKane for many years, and tried to get him to abandon the Democratic party, and come over to the Republican party and vote for Harrison. I claim as much credit for getting the town vote over to Harrison as any other one man in the town. I went and explained to McKane and some of the other leaders, and finally worked it up so that we got the vote for Harrison, and we got it for Fassett, and I hope we will get it again for Mr. Fassett.

By Mr. Elliott:

Q. Then the excise question had nothing to do with that? A. Nothing at all.

Q. You say that at the last election you voted the straight Republican ticket? A. I do, sir.

Q. And do you mean to say without reservation, without exception, that in the last six years you have voted the Republican ticket in Gravesend? A. Yes, sir.

By Mr. Judge:

Q. And did you succeed in getting any votes for Fassett for Governor? A. O, yes; about 1,800 or 2,000.

By Mr. Elliott:

Q. Then when Mr. McKane changed, the town changed; when his political feelings changed that changed the pulse of the whole people there in their majority? A. I think it did, yes.

By the Chairman:

Q. How many buildings do you say you now own there? A. I mean my late partner and my wife and my son and myself; we all own some.

Q. How many did you say? A. I didn't say how many we own now; I said that we had built within two years and a half, for tenants that had hired ground from us, on our property about fifty-six buildings.

Q. How many of those are private dwellings? A. Not one, as it is not in the section for private dwellings.

Q. Of whom do you lease the property that you lease? A. Mr. John Ward.

By Mr. Elliott:

Q. Is he a Democrat? A. I don't know what he is; I never asked him.

Q. You don't know much about his politics? A. I don't know much about him because he doesn't live there; I know he gets his $2,700 when he comes for it.

Q. Have you any tenants in the town of Gravesend? A. Oh, yes.

Q. How many? A. I could only guess at that.

Q. Give us a rough guess. A. I guess one hundred and fifty.

Q. Are there any of them Republicans? A. It is a hard question; I don't really believe I have got a single Republican for a tenant.

Adjourned for recess.

AFTER RECESS.

Harry Sturdevant: called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Judge:

Q. Where do you reside? A. Coney Island..

Q. What is your business? A. Plumber, gas and steam-fittter and general contractor.

Q. What is your politics? A. Republican.

Q. Are you a member of the Republican Association of the town of Gravesend? A. Yes, sir.

Q. Were you registered at the last election? A. I was.

Q. Did you vote in the town of Gravesend on election day? A. Yes, sir.

Q. In what district? A. The second.

Q. Did you vote in the forenoon or in the afternoon? A. In the forenoon.

Q. And at the time you voted was there a crowd around the polling-place? A. Yes, sir.

Q. Were the booths in the polling-place full when you went in to vote? A. At the time I voted they were full and there was a crowd outside; I voted in the line outside the polling-place.

Q. And they were voting rapidly at that time? A. Yes, sir.

Q. Do you know the amount of the votes that were registered in that district? A. I think about twenty-four or twenty-six hundred.

Q. Have you heard the amount that voted? A. I believe there was 1,500 or something like that.

Q. How long have you lived on Coney Island? A. I believe I will be ten years there in March.

Q. And in the second district since it has been made the second district? A. Yes, I think so, since it has been made the second district.

Q. What portion do you live in? A. I live on Henry street right near the creek at Van Sicklen station.

Q. Are you acquainted with Surf avenue and a place called the Bowery on Coney Island? A. Oh, yes.

Q. And along the shore line of Surf avenue down to the end of the second district? A. Yes, sir.

Q. From your knowledge of the district there and the number of houses and people, do you think 1,500 is a disproportionate amount to be voted in that district? A. I do not think so.

Q. Do you employ any men at Coney Island? A. Yes, sir.

Q. About how many? A. Well sometimes—it depends entirely upon the season of the year; I have employed directly and indirectly as high as 108, but that was only for a short time.

Q. Do you employ more in the summer months or in the winter? A. Well, from about the first of March until the first of December is my business.

Q. Was there many buildings erected in that district around the Bowery and around Surf avenue on Coney Island in the last year or two? A. Yes, there was a good many.

Q. Do you know about how many? A. Well a rough estimate of large and small buildings I should judge one hundred or so.

Q. Has business increased so as to necessitate the employment one way or another of a greatly larger number of people than two years prior to that? A. I think so as far as my own business is concerned, I have employed more men the last year than ever before.

Q. These buildings are mostly hotels for the accommodation of guests or places for the accommodation of people that are employed on Coney Island? A. You have reference now to the buildings in the Bowery.

Q. Yes and around that vicinity? A. I think they are all hotels, I don't recall any private houses in that quarter of the Island.

Q. What in your opinion is the population of that portion of Coney Island in the summer time around Gravesend say? A. I don't think I grasp your meaning.

Q. What in yonr opinion is the population in the summer time of the town of Gravesend? A. Oh, I should think fifty or sixty thousand probably.

Q. Did you officiate in any manner on election day? A. Yes, sir.

Q. What as? A. As I was watcher in the sixth district.

Q. With Henderson, one of the witnesses who testified here? A. Yes, sir.

Q. Were you a Republican or a Democratic watcher? A. Republican watcher.

Q. Did you have a watcher's certificate signed by Mr. Buttling? A. I did.

A. And Mr. Wray as secretary of the Republican general committee? A. Yes, I did.

Q. Was that also signed by Mr. Stratton and Mr. Williams, president of the Republican town association and the executive member? A. Yes, sir.

Q. Were you inside the sixth district all day? A. No, I wasn't in there all day, I was in at the opening of the polls and at the close; I was out probably, in and out half the time I should judge, at least.

Q. Did you see any fraud committed? A. I did not.

Q. Either in the sixth district or in any other district? A. Nor in any other district.

Q. Did you see any intimidation of any voters? A. No, sir.

Q. Or the hindering of any voters from voting as they pleased? A. No, sir.

Q. Did you see any votes counted? A. I saw votes counted, I didn't see the whole count.

Q. In what district? A. The sixth.

Q. What time in the morning did you get to the polling place? A. About quarter to six.

Q. Was that about the time it opened or immediately after? A. Unless I am mistaken the official time of opening of the polls was 6.38 or 6.28.

Q. And you got there at a quarter to six? A. Yes.

Q. Did you see the wrappers taken off the ballots that were to be used? A. No, I did not, I don't think.

Q. Did you see the boxes? A. Yes, I saw the boxes.

Q. Did you make any special examination that you remember? A. No, I didn't make any special examination.

Q. Could you see them so as to see whether any ballots were in them when the voting began? A. Oh, yes.

Q. Was there any? A. No, sir.

Q. How long have you been a Republican? A. I have been a Republican all my life; I am from Pennsylvania.

Q. In your opinion how many people about would these new buildings that were erected accommodate? A. That were erected last year?

Q. Yes. A. I should judge about 800.

Q. Do you know whether any of these people who were working at Coney Island in the summer time keep the residence there and vote there generally? A. I can't recall any individual, but I think that the people who were employed there as a rule are voters.

Q. You say you have employed at times as high as 108 men? A. One hundred and eighty; there has not been 180 on my pay roll, but on my pay roll and sub-contracts that I have made.

Q. As a Republican watcher you were watching to see that the vote was fairly cast, no illegal votes were cast, and it was fairly counted for your party? A. Yes, sir.

Q. And you saw none? A. I saw nothing wrong.

Q Now taking in the whole of the district called the second district there and looking at it together with Coney Island — I think the second district takes in nearly all of Coney Island? A. It takes in nearly all of Coney Island proper, yes.

Q. Taking in all of the second district and all it takes in of the town in your opinion is the amount that you stated as being registered, or the amount that was voted, disproportionate? A. Yes, sir.

Cross-examined by Mr. Elliott:

Q. How old are you? A. Thirty-eight.

Q. You say you have lived in Gravesend ten years? A. Ten years in March I believe.

Q. And you were a Republican when you went there? A. Yes, sir.

Q. Whom did you work for when you first went there? A. I went there as supervisor of the Coney Island Fuel, Gas & Light Company, which was owned by a Pennsylvania corporation.

Q. Do you know Mr. McKane? A. Yes, sir.

Q. Are you a member of his association? A. I am an honorary member of the association; not an active member.

Q. What does that mean? A. I don't know what it means; I never had my name on the roll, but at the time the McKane Association gave the last ball I was put on as secretary of the ball committee; that is as far as my knowledge of the association goes.

Q. And you are on the roll against your will? A. I didn't say I was on the roll.

Q. I am asking if your name is on the roll, if you are there against your will? A. As a political organization I would be there against my will, but not as a social.

Q. Have you made any effort to have it removed? A. I don't think it is on the roll; I have never seen it.

Q. Now that you have had time to reflect upon it, are you or not a member of the McKane Association? A. I said I was an honorary member.

Q. And you belong there to-day? A. I don't know I am; I believe I am; yes.

Q. You know Mr. McKane pretty well? A. Very well; yes, sir.

Q. And he knows that you are a Republican? A. Yes, sir.

Q. He never asked you to change your politics? A. He never did.

Q. Did you vote with him in 1888? A. I couldn't say if I voted with him or not in 1888; I voted the Republican ticket.

Q. Did you go with him to Washington? A. Yes, sir.

Q. And you can't tell us whether you voted the same ticket with him or not? A. I don't know what ticket he voted.

Q. You never discussed the question? A. No, sir.

Q. Did you ever talk politics with Mr. McKane? A. No, sir; I never had a word about politics with him.

Q. You say you employ 108 men? A. I say I have employed as high as 180.

Q. How many did you employ in the month of November? A. I should judge from forty to fifty; I can only give you an approximate idea of that.

Q. How many people did you employ, if you know, last summer? A. I should say from forty to fifty.

Q. You saw that they all voted? A. No, sir.

Q. Didn't they vote? A. I don't know they are entitled to vote.

Q. Politics was not much discussed in Gravesend? A. Well, I never discussed it much; I avoid discussing politics and religion.

Q. You say that you are a plumber? A. Yes, sir.

Q. Did you ever work for Mr. McKane? A. I never done any work for Mr. McKane in my life except one building.

Q. How large a building was that? A. It is a building that has two stories in it.

Q. Did you ever do any work for Mr. Stratton? A. Yes, sir.

Q. A good deal of work for him, haven't you? A. Not so very much—no.

Q. Don't you know that Mr. McKane builds all his buildings? A. Mr. McKane, I don't think, has put up a building for Mr. Stratton since I've been working for Mr. Stratton.

Q. How long have you been working for Mr Stratton? A. I have been in the plumbing business only about three years.

Q. What was your business before that? A. I was driving an express wagon.

Q. You are pretty familiar with elections, are you not? A. I don't know that I am familiar with elections; I know there are elections and I know I go to them to vote.

Q. You have expressed an opinion as to how the elections were conducted on November 7, 1893? A. Yes, I can express an opinion as to how elections have been conducted since I have been there.

Q. You claim to be an expert on fraud don't you? A. No; I don't claim to be an expert on fraud.

Q. You said you knew there was no fraud there? A. I said I didn't believe there was.

Q. Then you are not prepared to say that there was no fraud there? A. I am prepared to say on the best of my knowledge and belief that it was not fraudulent.

Q. Then you know how the election was conducted don't you? A. Well, yes; generally.

Q. Do you or not know how the election was conducted? A. I think I know; yes.

Q. You know enough to swear to it that it was not illegally conducted? A. To the best of my knowledge and belief I believe it was legally conducted.

Q. And you know as much now as you knew on your direct examination? A. Just exactly.

Q. Then you are not familiar with the way elections are conducted down there? A. Comparatively, yes; I believe I am.

Q. You make a qualificatiou, but you make no qualification as to fraud? A. I make no qualification as to fraud when I say I don't believe there was any fraud.

Q. Then if you don't know how elections are conducted how can you say that there was no fraud committed; I will repeat the question, do you or not know how elections were conducted in the town of Gravesend? A. I think I do know how the elections were conducted, the same as any other elections.

By the Chairman:

Q. Do you know how the election was conducted? A. Yes.

By Mr. Elliott:

Q. Do you know what the law requires in the way of registration? A. No, I only know what I heard.

Q. Then you don't know how elections should be conducted? A. No, I couldn't go into the details of the law on registration.

Q. Then you don't know how elections are conducted?

Objected to by Mr. Judge.

Q. Do you or not know what the law requires in reference to registration? A. I don't know if I do or not.

Q. Do you now desire to repeat to the committee that there was no fraud in the election on election day? A. I now desire to repeat to the committee that to the best of my knowledge and belief there was no fraud on election day. There was six election districts and I certainly was not in all of them, but from what I know in a general way and from the result of my observation in years past that I have lived there I don't believe there was any fraud.

Q. You can say the same of New Yory city, where you are not at all on election day? A. I couldn't say I didn't believe it, because I don't know anything about it.

Q. Not knowing how the votes should be registered, not knowing how it should be cast, how can you say to the committee there was no fraud there? A. Perhaps I do know, and I may be mistaken; I am willing to give the committee my ideas.

Q. Tell us what the requirements of the registration law is in regard to the vote. A. I don't know as I could tell about the requirements of the registration law; as I understand the law it is simply this, that a man must live for a certain time in the

State, a certain time in the county and so long in the town, and then if he registers and claims that as his residence he is entitled to a vote; that is what I understand; that is the principle I have gone on myself.

Q. Does it make any difference to you whether a man lives in the district any prescribed length of time or not? A. As I understand the law a man must live in the State a year, in the county six months and in the district thirty days; I may be wrong.

Q. Are you prepared to swear that the 1,500 men who voted in the Second district lived in that district thirty days? A. No, I am not prepared to swear that.

Q. And will you swear that it is your belief as a Republican that they did so live there? A. Yes, I will swear that.

Q. Tell this committee where they live? A. I don't know where they live.

Q. Can you name any house where any number of them live? A. I can name, I think, every house in the district nearly.

Q. That is what I thought; now commence and name the ones where the most of them live? A. Well, take on Second street, there is a building there called the Hamilton Flats in which there are twenty-nine apartments; I don't say positively twenty-nine, but I believe it is; I have heard there were about twenty-nine there.

Q. How many lived there thirty days? A. I don't know.

Q. Do you know anything about it? A. In a general way, I see lights in the windows nights and I see men going in ond out and everything; I don't follow up people and go into their private apartments and ask them how many people live there.

Q. Now, I want you to name one single house in the district, that you know thoroughly, where there was any considerable number of men who lived in the district thirty days and now live there or lived there the day after election? A. I think I have named one.

Q. You said you didn't know; you simply saw lights there? A. I take it for granted every family —

Q. I don't want you to take anything for granted. A. There might be seventy-five voters living there and there might be twenty-five.

Q. Won't you proceed and give us what you can; I don't want you to tell us what you don't know; you have undertaken

to say there was no fraud, and you have undertaken to say there was 1,500 men voted on election day? A. I have not undertaken to say there was no fraud, and I have not undertaken to say 1,500 men voted on election day; I believe there was no fraud, and I believe 1,500 men voted on election day.

Q. I want the information on which your belief is based? A. Come down to the detail of the number of men in each one of these apartments, for instance in that Hamilton flats; I can't do it.

Q. Is there any building in which you can do it? A. Well I see people in different hotels there and they have help, you know they must have help; small hotels I couldn't tell you how many people there are in each one.

Q. So that we can in some way identify them? A. The committee could identify, if they go through the Bowery and through the district they will know all about it.

Q. Give us some one place; some definite specific place of residence of men who lived there thirty days previous to election and live there after election? A. Well I believe that Bushman, the brewer there, has a lot of men; that is on Surf avenue below the West End hotel.

Q. What do you mean by a lot of men? A. Well he has a lot of wagons.

Q. How many? A. Well I should say—

Q. No, but will you say? A. I don't know anything about Mr Bushman's business; I believe that he employes about so many men.

Q. What do you mean by that? A. I don't know how many men he employes.

Q. You don't know anything about it as to numbers? A. No, I do not.

Q. And the same thing applies to every place that you have spoken of as having general knowledge? A. Yes.

Q. It is upon that character of information that you have said there were 1,500 voters in the district when you were answering the questions of counsel for contestee? A. I believe that Bushman employs twenty men, but I wouldn't swear to it positively.

Q. (Repeated.) It is upon that character of information that you have said there were 1,500 voters in the district when you were answering the questions of counsel for contestee? A. I can't answer it by yes or no.

Q. Can you give us any idea of what was the total population of the Bowery on the seventh of November last? A. Do you ask me for my opinion?

Q. I want your knowledge on the subject; do you or not know? A. I don't know how many people were in the Bowery.

Q. It was in view of that fact that you told the counsel for contestee that 1,500 votes were polled? A. I said I believe there were 1,500 votes polled.

Q. And it was on the same vague information? A. My information was not vague, I live on Coney Island.

Q. Can you tell me what you know about it? A. So far as I know I am trying to tell the truth exactly.

Q. Do you claim that you have told me anything about the voting population of the Second district there? A. I don't know what I have told you about that, you are doing all the telling yourself mostly. I couldn't tell you about the population of the Bowery.

Q. I repeat, and for the last time upon this point, do you know anything about the population of the Second district on the seventh of November? A. No, I don't.

Q. And you had the same information at the time you answered that question of counsel for the contestee, that there were 1500 votes there, as you have now? A. Yes, sir.

Q. Where did you vote on election day? A. Second district.

Q. And that is in the town hall? A. Yes, sir.

Q. And how many votes were cast there? A. I think I told once before 1500, I believe about 1500.

Q. Did you see them counted? A. No, sir.

Q. Do you know anybody that did? A. I suppose the election officers.

Q. Do you know anybody that did? A. No, I don't know anybody that did.

Q. What district were you in as watcher or an officer? A. The Sixth district.

Q. Did you count the votes there? A. No, sir.

Q. Did you see them counted? A. I wasn't in there all the time that they were counting them; I was satisfied——

Q. No, did you see the vote counted or not? A. I didn't see from the beginning——

Q. Did you see the vote counted? A. Part of it.

Q. What part of it? A. When they started and when they were through; I didn't see every vote counted.

Q. Did you see them commence? A. Yes, sir.

Q. How long did you remain there? A. Well, I was in and out; I was probably there half the time.

Q. Were you there at the finish of the canvass? A. Yes, sir.

Q. And you thought then you did your duty as a watcher? A. I thought I did my duty as a watcher when I saw that everything was on the level.

Q. On what level? A. That the vote was honest.

Q. How could you see the vote was honest and was honestly counted if you wasn't there? A. I was there part of the time.

Q. Do you know how it was conducted in your absence? A. No, I do not.

Q. You were there as a Republican watcher? A. As a Republican watcher.

Q. And you had the interest of the Republican party at heart? A. Only.

Q. And you best served the Republican party by going away from the place where you watched? A. There were two watchers there.

Q. Did you take one of them there with you when you went? A. No, sir.

Q. Was he there all the time? A. I don't know if he was or not, not being there all the time myself.

Q. Were you there any time when he wasn't there? A. Yes.

Q. And didn't you frequently come back and find no one watching the count? A. No, I don't think I did.

Q. Isn't it a fact? A. I can't tell you that.

Q. Then as a matter of fact you don't know whether the count was honest or not? A. I think it was; I don't believe it needed any watching.

Q. You thought it was in the hands of friends? A. I thought it was in the hands of honest men.

Q. And that is the reason you didn't watch them? A. I should have watched more closely if I had thought it was in dishonest hands.

Q. You don't pay much attention to politics? A. I am not an expert politician.

Q. You didn't know there was any trouble about Gravesend about election time? A. I didn't see any trouble.

Q. It wasn't discussed there? A. No; not with me.

Q. Did you read in the papers that there was some alleged trouble in the town of Gravesend about copying the registry lists? A. Oh, yes; I read that.

Q. Did you read the fact that there was an order of Judge Barnard that had been obtained to enjoin the alleged Republican watchers in town? A. I don't think I read that until after election.

Q. When you got it you put it away you mean? A. I don't think that I saw it; I am not trying to evade any question of yours.

Q. Do you read the papers at all? A. Yes, I take a few papers.

Q. Did you take the "Eagle" on the night before election? A. Yes.

Q. Did you read the account in the paper? A. I don't remember reading it. I take the "Eagle," "Citizen" and "World." Some nights my business keeps me out late and that night I would miss the papers. I couldn't tell you.

Q. Do you remember whether or not you missed the paper that night? A. I really do not remember whether I did or not.

Q. You don't recall that? A. No, sir.

Q. Will you give the committee some idea about when you were appointed a Republican watcher? A. The night before.

Q. By whom? A. Mr. Williams.

Q. Where were you at the time of your appointment? A. Gravesend.

Q. What place in Gravesend? A. There by the town hall.

Q. Can't you get any closer to it than that? A. I was standing by the corner of the town hall.

Q. Will you tell us who was in the group with you? A. I really can't remember.

Q. Was Mr. Stratton there? A. Mr. Stratton was present when I received my certificate.

Q. Mr. Henderson? A. I don't remember seeing Mr. Henderson.

Q. Mr. McKane? A. Mr. McKane wasn't there.

Q. Did you see him that night? A. I don't think I did see him that night.

Q. Have you any doubt about it? A. I will say positively that I did not see Mr. McKane that night.

Q. Why do you say that positively when you said a moment ago that you didn't think you did? A. I was trying to think.

Q. Then you have now changed your mind? I haven't changed my mind.

Q. Who else was present? A. There were a number of people there.

Q. Do you want this committee to understand that the question of there being several watchers to supersede you was never discussed? A. Yes, I want the committee to understand that most emphatically.

Q. You claim to be a Republican, do you? A. I do.

Q. Do you take any interest in the Republican party? A. Yes, sir.

Q. What did you do beside accepting from Mr. Stratton the certificate? A. I voted the Republican ticket.

Q. What else did you do beside vote the ticket; did you watch to see if the count was honestly counted and conducted? A. I didn't watch it close, I was there part of the time; I didn't say I was there all the time.

Q. Then you are not surprised that the Republican party received ten votes out of 1,500 in the second district? A. No, I wasn't very much surprised.

Q. You said to Mr. Judge that you believed that the 1,500 votes were honestly cast and counted in the second district? A. Yes, sir.

Q. And you were not present when it was done? A. Oh, no.

Q. You didn't see the vote cast? A. I saw a part of it cast at the time that I voted, and I was in the district after that, but I didn't see the whole vote cast.

Q. Did you see that number of people standing up in front of the polls in the second district, 1,500? A. No, but if I had stood there——

Q. No, no. A. I told you I didn't stand there all the time; I was in the sixth district.

Q. Have you heard by rumor whether all the persons who sought to vote in the second district voted?

The question is objected to. Objection sustained.

Q. Do you know whether any person was refused a vote in the second district? A. I don't know that there were any refused in the second district.

Q. You haven't heard? A. No.

Q. Do you know when the count was completed in the second district? A. No, I don't know that.

Q. Do you know any of the inspectors or canvassers who made the count? A. I have no doubt—

Q. I want to know the fact if you know it, and if not you can say so? A. I think I know them all but I don't just recall them.

Q. Will you tell this committee whether since the election you have talked with any one of them about the count? A. No, sir; I haven't.

Q. Not a word? A. Not a word.

Q. It hasn't been discussed between you? A. No, sir.

Q. You didn't take any further interest after election day in the politics of the town? A. No, sir; I did not.

Q. And all this excitement about election inspectors and watchers and poll clerks and canvassers being indicted had no effect upon your mind at all? A. I considered it a great injustice to do it.

Q. You had no personal apprehension about it that you would be arrested and indicted for anything you did? A. Oh, no.

Q. Was that because you stayed close to the polls or because you stayed from the polls?

Objected to and question withdrawn.

Redirect-examination by Mr. Judge:

Q. When you testified here to your belief as to how the election was conducted, you testified from your observation of election day, is that it? A. I testified from my observation on election day and also what I generally know about the number of residents in the town.

Q. And what you testified to as to the number of voters was based on your general knowledge of the second district as a resident of it for the time you have stated you have resided there? A. Yes.

Q. You don't claim to know the occupant of every house or the number of people in each house, do you? A. No.

Q. And the opinion you have given as to the count that was had in the district in which you were a watcher is based on your observation while you were there on election evening after the close of the polls; is that right?

Objected to as to form. Objection sustained.

Q. What do you base your opinion upon as to the count that was done on election night when you state that it was honestly done in the sixth district? A. On what I know of the population of the district, or what I think I know.

Q. I refer now to the counting after the polls closed on election day in the sixth district; on what do you base your opinion when you say the count was honestly conducted? A. On my knowledge of the integrity and honesty of the election officers.

Q. And your observation? A. And my observation.

M. J. Cummings, called in behalf of contestee, being duly sworn, testified as follows:

By Mr. Durack:

Q. You are the city clerk? A. Yes, sir.

Q. Have you the return of the vote cast in the twenty-fourth and twenty-fifth wards in the city of Brooklyn for Charles A. Schieren? A. I have a copy of it.

Mr. Elliott objects to the testimony. Objection overruled. Objection withdrawn.

Q. Will you state the vote cast in the twenty-fourth ward for Mr. Schieren? A. Two thousand two hundred and seventy-seven.

Q. And in the twenty-fifth ward? A. Four thousand eight hundred and fifty-six.

Cross-examination by Mr. Elliott:

Q. How long have you lived in Brooklyn? A. About forty years.

Q. And how long have you voted in Brooklyn? A. Well, I guess about twenty-eight years.

Q. And since you have known the history of either party in Brooklyn have you ever known a candidate for mayor to receive

as large a number of votes as was received by Mr. Schieren? A. No, sir.

Elijah Davis, recalled.

By Mr. Durack:

Q. You represent the county clerk? A. Yes, sir.

Q. Have you a record there of the vote for Mr. Friday in the twenty-fourth ward of the city of Brooklyn? A. Yes.

Q. Will you please call it? A. Twenty-fourth ward, first the fourteenth district, Mr. Friday received 2,197 votes.

Q. Does that comprise all the districts in the ward? A. No, that is the portion of the ward that goes into the Sixteenth Assembly district.

Q. Have you the record of any other portion of the twenty-fourth ward with you? A. No, sir; I have a portion of the twenty-fifth.

Q. What is the vote for Mr. Friday in the twenty-fifth ward? A. Thirty-eight hundred and forty-four.

Q. Have you the vote for Buttling in the town of Gravesend? A. Yes, sir.

Q. Will you state what that is? A. Two hundred and thirty-four.

Q. Have you the vote cast for Mr. Friday in the town of Gravesend? A. Yes, sir.

Q. Please state that? A. One hundred and sixty.

Cross-examination by Mr. Elliott:

Q. Do you know whether Mr. John Y. McKane was in favor of Mr. Buttling? A. I do not.

Mr. Elliott states that he accepts the testimony of the last two witnesses as in favor of the contestant.

Michael F. Murphy, called on behalf of contestant, testified as follows:

By Mr. Judge:

Q. How long have you lived in Gravesend? A. Twelve or fourteen years.

Q. You are a citizen and voter there? A. Yes, sir.

Q. What district did you vote in at the last election? A. I vote in the second district, sir.

Q. What is your politics? A. Republican, sir.

Q. You have voted in that district before? A. In the second, yes, sir.

Q. You voted in that district last year, did you? A. Yes, sir.

Q. Were you around the town hall on that day — around the election polling places? A. Yes, sir.

Q. And when you voted in the second district was the vote being rapidly taken or otherwise? A. Well, while I was present it was, sir.

Q. Were the booths inside the polling places full when you went there to vote? A. Yes, sir.

Q. Did you have to wait to get in one in order to prepare your ticket? A. I did.

Q. Did you hold any position in respect to the elections in any of the districts last election? A. Yes, sir.

Q. What was it? A. I was a watcher in the third election district.

Q. Which party did you represent? A. The Republican party, sir.

Q. Were you there all day? A. Back and forward, yes, sir.

Q. In the third district? A. In the third district, sir.

Q. And any time in the second? A. No, sir, only the time I voted.

Q. What time did you get there in the morning? A. About half-past 5 when I got there, sir.

Q. That is before the polls opened? A. Shortly before the polls opened, sir.

Q. During the day while you were around the polling places in the third district or while you were voting in the second district did you see any fraud committed? Q. Not to my knowledge and belief, no, sir.

Q. Did you see any intimidation? A. No, sir.

Q. Did you see any one, either Republican or Democrat, hindered from voting? A. No, sir.

Q. After the polls were closed did you watch the count? A. I did, sir.

Q. In what district? A. The third.

Q. Did you watch it to completion? A. I did.

Q. Constantly? A. I was there from the start until the end, sir.

Q. And did you see any fraud committed in the count? A. No, sir.

Q. Or any irregularity, as you understand the law, there? A. No, sir; I did not.

Q. Who was the other watcher in the third district? A. His name is John Ditmas.

Q. Do you live on Coney Island? A. I live on the Shell road, Coney Island.

Q. Are you familiar with the second district? A. I couldn't say I am.

Q. As to the houses that are there? A. No, I can't say positively; no, sir.

Q. You have a knowledge of the second district that a resident of twelve or fourteen years in the town would have, haven't you?

Objected to. Objection sustained.

Q. What knowledge have you of the general population and situation in the district? A. I couldn't say.

Q. Do you know how many votes were cast in the third district? A. Between 800 and 900; I couldn't say.

Q. You are familiar with the third district as a resident? A. I live in the second district.

Q. Have you any knowledge of the second district from which you could estimate the number of voters in the district? A. Well, it is a large district, and I could not.

Q. Have you any knowledge from which you could give an opinion as to the number of voters? A. Well, no, sir.

Q Or the number of residents? A. No; there are quite a number; I couldn't say exactly.

Q. You know that there is a large number of buildings fronting on the ocean and running up to Surf avenue from Eighth street to the spur in the island? A. Yes, sir.

Q. That is included in this second district? A. Yes, sir.

Q. And all along Surf avenue? A. Yes, sir.

Q. And that in the summer time these buildings are nearly always full?

Objected to as leading.

Q. From such knowledge please give an opinion as to the number of voters in the second district? A. Well, there are quite a number; I couldn't say.

Cross-examination by Mr. Elliott:

Q. How old a man are you? A. I guess about 42 or 43.

Q. You haven't any doubt about it? A. I am about 42.

Q. You don't age up very well? A. No.

Q. How long have you been a Republican? A. About six or seven years.

Q. You changed your politics in 1888? A. I did.

Q. You were appointed as a Democrat, were you not, to your present place? A. No, sir.

Q. Were you appointed as a Republican? A. No, sir; my appointment; there were no questions ever asked me.

Q. I mean that at the time of your appointment? A. I couldn't answer that.

Q. Did you have any politics then? A. No; not material.

Q. Did you vote at all? A. Yes.

Q. Whom did you vote for on the national ticket about that time? A. I couldn't say.

Q. Do you know that you are a Republican now? A. Yes, sir.

Q. By the same course of reasoning that you didn't know before? A. Little different now.

Q. In what way? A. I took little more of an interest into it, sir.

Q. You have taken more of an interest as a Republican than you did as a Democrat? A. At times; yes, sir.

Q. Can you account to the committee for the reason of that change? A. No, sir.

Q. You don't take a very active interest in any event, do you? A. No, sir.

Q. Politics don't interest you? A. No, sir.

Q. How long have you been on the police force? A. I have been on about twelve years.

Q. And during all that time has Mr. McKane been chief? A. Yes, sir.

Q. You were appointed under him, were you not? A. I was, by the board of police commissioners.

Q. And you and the chief are on good terms? A. Yes, sir.

Q. You are a man of pretty positive convictions, are you not? A. I am, sir.

Q. Hold very tenaciously to anything you believe for your good? A. Just as you say.

Q. When you believe a thing is your way you are going to hold on to it pretty strong? A. When I believe it is right, I do.

Q. And your convictions are not easily shaken? A. No, sir.

Q. And you want evidence every time? A. I do?

Q. What made you watcher on election day? A. I couldn't answer.

Q. Weren't you a police officer? A. Not there; I was on a leave of absence for over a week.

Q. How did you get that leave of absence? A. Because I never had a chance in the summer time in the busy season, and I took leave before election.

Q. Do you think you were acting in the best interests of the people when you, during your vacation, chose to act as a watcher for a political party? A. I couldn't answer that.

Q. You mean when you say you can't answer, that you don't want to answer it? A. No, sir; I cannot answer it.

Q. Then do you want this committee to understand that you have no opinion as to your duties as a watcher? A. Yes.

Q. Don't you know that as a matter of police regulation once an officer always an officer, until removed? A. Yes, sir.

Q. Then I ask you again as a citizen, didn't you have any question as to bad or good judgment as to serving as watcher for a political party, when you were paid by the whole people, to serve a part of the people? A. I did not, sir.

Q. Have you anything to say as to whether you deem it good policy now? A. No, sir; I have not.

Q. And would you do it to-morrow? A. Yes, sir; I would.

Q. You still drew your pay as police sergeant? A. Yes, sir.

Q. There was no deduction for the week? A. No, sir.

Q. Whom did you get your vacation from? A. The chief of police of the town of Gravesend.

Q. John Y. McKane? A. John Y. McKane.

Q. Did you tell him the use to which you wanted to put your vacation? A. No, sir.

Q. Have you ever spoken to him about it before or since? A. No, sir.

Q. Are you pretty well acquainted with the second district? A. No; I can't say that I am.

Q. You take some interest in it as a party man, don't you? A. No, I do not.

Q. Don't you believe in the Republican party? A. I do to a certain extent, yes.

Q. How far does that extent go? A. To the right and wrong.

Q. Then you don't believe in your party, right or wrong? A. No, sir.

Q. Did you believe they were right at the last election? A. I can't answer that.

Q. Did you vote that way? A. I decline to answer.

Q. Didn't you say you were a Republican? A. I did.

Q. And you decline to answer whether you voted for the Republican or Democratic party? A. I do.

Q. Do you decline to answer on the ground that your answer will tend to degrade or incriminate you?

Objected to. Objection overruled in this case on the ground that this man is an officer.

The minority of the committee sustain the objection on the ground that the same objection was sustained earlier in the case.

A. Neither one nor the other.

Q. Then I ask you to answer the question, did you vote that way?

Mr. Judge renews his objection. Objection overruled, the minority sustaining the objection on the ground that under the law the witness can not be asked how he voted.

A. I did not.

Q. Don't you think it a little bit inconsistent that you should be a watcher for the Republican party and vote against it. A. No, sir.

Q. Do you think that you could conscientiously perform the duty as a watcher or guard of the interests and rights of the party and at the same time yourself vote against it? A. Now understand I didn't say whether I voted against the whole of it or not.

Q. How did you come to be appointed a watcher? A. I couldn't answer it, sir.

Q. What do you mean by that? A. I couldn't say; there were letters sent to me.

Q. By whom? A. By the president of the Republican association of the town of Gravesend, Henry R. Williams, and Mr. Stratton, Mr. Wray and Mr. Buttling.

Q. Where did that reach you? A. I can't say whether that reached my house, or where, I am not positive sure.

Q. When you got it did you go down and see the chief? A. I did not.

Q. Did you see him before you went on duty? A. I did not.

Q. You knew, did you not, that there was some talk about an injunction being obtained against the watchers of John Y. McKane? A. No, sir.

Q. You didn't read the papers? A. I didn't say whether I did or not.

Q. Did you read the Eagle the night before election? A. I did not.

Q. Had you been reading it for some time previous? A. I did not; no, sir.

Q. Do you object to telling the papers that you did read? A. I couldn't tell you.

Q. Did you read any? A. I may.

Q. Is there any doubt about it? A. There may.

Q. Do you subscribe for any particular paper? A. No, sir.

Q. You didn't know that there was such a thing as a disturbance in the town of Gravesend previous to the election? A. I heard about it; yes, sir.

Q. What was that about? A. In reference about copying the registry list.

Q. You took no interest in it? A. I did.

Q. To what extent? A. I was a copyist.

Q. How could you be a copyist? A. Because it was in my vacation.

Q. Where did you do that copying? A. Up in the town hall.

Q. In what district? A. In the second.

Q. That is the district where all this trouble has been? A. So it seems.

Q. Can you tell us whether you copied in both the registry and the poll lists? A. I copied from the book that was hanging up; from the registry book.

Q. You copied from the registry book to the poll list? A. No, sir.

Q. Where did you get the registry book from? A. Hanging up inside the polling place.

Q. What do you mean? A. I mean previous, before the election was the time I copied them.

Q. Where did that list come from that you copied from? A. It was on the table; the other gentlemen were copying also.

Q. Who placed it there? A. I couldn't say who placed it there.

Q. You know as a sergeant of police where those came from? A. I know they belong in the town hall in the different booths, the registry list.

Q. What I want for the information of the committee is this: I want you to tell us if you can where the original registry list came from? A. I couldn't tell you.

Q. You don't know that in any way? A. No, sir.

Q. You don't know that as a police sergeant? A. No, sir.

Q. You don't know it as a citizen of the town of Gravesend? A. No, sir.

Q. You don't know it as a Republican? A. No, sir.

Q. You don't know it in any sense? A. No, sir.

A. And never did? A. No, sir.

Q. Now having answered that will you tell us how the names of the people are obtained to put upon those registry lists? A. To the best of my knowledge and belief people that voted, say last election, that is copied again; those people come before the secretary; they have to appear and their names is put down in the list.

Q. Do you want to be understood then as saying that you as, as sergeant of police, don't know where all these people come from? A. No, sir.

Q. You don't want to be understood as saying so? A. I don't know where they come from, all of them.

Q. You know something about the second district, don't you? A. Not much.

Q. Aren't you sergeant of police? A. I am.

Q. Aren't you supposed to know all about the district in which you live? A. My duties are inside.

Q. Do you belong to the McKane Association? A. I do, sir.

Q. And the principle of that association is to live up to the wishes of the chief whose name it bears? A. I presume so.

Q. And you carry out this conviction in your business life and social affairs? A. Yes.

Q. Do you want to be understood as saying, when you told Mr. Judge that there was no fraud in Gravesend, that you saw the count in the fifth district? A. I didn't say that.

Q. Then you do say there was fraud in Gravesend? A. No, sir.

Q. Whichever you will have it? A. No, sir.

Q. Was there fraud or not? A. Not to my knowledge and belief.

Q. Will you now say there was or was not? A. To the best of my knowledge and belief there wasn't any fraud.

Q. Then I am right and you are wrong? A. I don't understand what you mean; let me have the question properly.

Q. I ask you the distinct question now whether you will or not tell my friend that there was not fraud in the second district on the seventh of November last? A. To my knowledge and belief I say no, there was not.

Q. Do you know how the election laws should be carried out? A. Well, any more than those people that lives so long in the State, so long in the county and so long in the district, they are entitled to vote.

Q. You didn't see any votes cast or counted that you know, did you, in the second district? A. I did not, sir.

Q. And when you went in there it was about what time of day? A. It was in the morning, I couldn't exactly say; it may be along about 7 o'clock; I won't say for certain.

Q. I will give you a moment's time to reflect? A. I can't say for certain whether it was around about 7 o'clock.

Q. What time did your duties as a watcher commence? A. Just as soon as the polls opened.

Q. Did you leave the polls to go and vote? A. I did.

Q. About what time? A. I am not certain what time; I couldn't say what time positively; I could not.

Q. Do you mean by that that you won't say? A. No, sir.

Q. You have no hesitation in saying? A. No, sir.

Q. Isn't a fact that you didn't vote until after you got your lunch? A. Oh, no; I had my lunch before I reached there.

Q. You left the watching place where you were watching and went and got your lunch? A. No, sir; I had my breakfast already in the morning before I reached there; therefore I didn't require any lunch.

Q. You don't call your lunch your breakfast? A. I was taking my lunch, but I didn't dine up there.

Q. Then you took your breakfast and lunch together? A. No, I mean to say I had my breakfast before I went there, and didn't go out to lunch until about 12 o'clock, and then I had my dinner at home.

Q. You had your lunch before you w nt there; does that refresh your recollection about the time? A. No, sir.

Q. But you are sure now it was after 7? A. I think it was after 7 o'clock.

Q. Now take a moment's reflection and tell us as near as you can at that time about when it was; you have said you had your lunch before you went there, and in view of that fact can't you fix the time a little nearer than you have? A. No, I could not.

Q. Then will you fix the time at 11 o'clock? A. Oh, no.

Q. Will you fix it at 10? A. No.

Q. Why? A. Because I voted before 10 o'clock.

Q. Will you fix it at 9? A. No, sir.

Q. What hour will you fix it at? A. Around between the hours of 7 and 8.

Q. You had your lunch before that time? A. I had my breakfast before that.

Q. You said you had your lunch? A. I say my breakfast; I misunderstood.

Q. At any time during the day did you see how the voting was being conducted in the second district? A. No, sir; I didn't go only the time I voted.

Q. Then how can you tell this committee in good faith that there was no fraud committed when you weren't there at all? A. I said to my best knowledge and belief.

Q. When you are asked a direct question about that, will you answer that there was no fraud committed? A. When I was present there was no fraud committed, to my belief.

Q. Then you don't mean to say there was no fraud committed? A. To my best knowledge and belief; I didn't see any, because I wasn't there.

Q. How long were you in the second district, all told? A. I couldn't say.

Q. When you went in, did you go direct to the booth? A. I did not.

Q. It was full, wasn't it? A. Yes, sir.

Q. How many persons were ahead of you in line? A. I couldn't say.

Q. Give us an estimate? A. I couldn't say, positively.

Q. A dozen? A. Perhaps.

Q. Perhaps a dozen; then the booths were already full, and there was a dozen ahead of you; how long did you wait before you got in the booth? A. I couldn't say.

Q. You have been a sergeant for a long time, and go in and out? A. No, sir; I remained in the office once I got there.

Q. All the time? A. Yes, sir.

Q. You never go through the town? A. No, sir; very seldom.

Q. Then you stood in line a minute, and you waited a minute for those in the booth to come out; and then you went in and you stayed a minute, and then you came out; and we will say it only took you a half a minute to the time you cast your vote; isn't that fair? A. Oh, I wouldn't say so; it seems fair to you, but I can't say so.

Q. Give us your opinion? A. I couldn't say certain; it may take me a couple of minutes; I wouldn't say; it may take me more; I won't say how long.

Q. Will you not say on your oath, as a witness here, that, going to that place, and finding at least twelve persons ahead of you, with the polling booths already full, that it didn't take you to fold your ballot and come out at least five minutes? A. I wouldn't swear positively; no.

Q. Do you want, now, to be understood that you know anything about whether any fraud was committed in the second district? A. I couldn't say.

Q. You never saw 1,500 men vote in 612 minutes? A. I didn't see them vote; no, sir.

Q. Never have? A. Not to my knowledge I haven't seen it; no, sir.

Q. Wouldn't you be very much surprised to see it? A. I don't know whether I would or not, if I was present all the time and seen it.

Q. But wouldn't it create some panic in your imagination? A. No; it would not.

Q. You have imagined that 1,500 votes can be cast? A. I have an idea that they could.

Q. What do you base it on? A. Well, upon what I have heard; that is all.

Q. Whom did you hear it from? A. Every one.

Q. Can you name anybody in particular? A. Not particular; only yourself in putting the question now.

Q. Did I say so? A. You asked me such a question.

Q. I repeat it; will you tell me of anybody who has told you 1,500 votes could be cast? A. No, sir; I will not.

Q. And you don't believe it? A. I wouldn't say whether I do or not.

Q. Do you know how many people live in the Bowery? A. No, sir.

Q. Did you ever know? A. No, sir.

Q. Do you know how many saloons there are in the Bowery? A. No, sir.

Q. You are not a drinking man yourself? A. Well, no; not exactly.

Q. Do you know, as a matter of fact, and as a police sergeant, whether there were not about 3,000 more people in the town of Gravesend on the seventh day of November than there was on the eighth? A. No, sir.

Q. Tell us the difference in numbers then? A. I can't say.

Q. Was there 3,000 more people in Gravesend on the seventh than there was on the eighth? A. Whenever there is an election there is always a crowd.

Q. I am calling on you officially now; tell me whether or not on the seventh of November there were 3,000 more people in

Gravesend than there were on the eighth? A. I couldn't tell you; I couldn't answer that.

Q. You saw crowds come in from the city, didn't you? A. I seen a few; yes.

Q. A very few? A. I saw a few; I didn't see all.

Q. Where did you see them come in from? A. I seen them coming up from Coney Island.

Q. Didn't you see any coming from the city proper? A. Yes; I seen a few; yes.

Q. How few? A. I can't say.

Q. The few you saw coming from both directions, will you say you saw 500 people coming? A. Coming from where?

Q. From either of these places? A. I didn't see 500 all at once.

Q. Do you mean to tell me I could bring 500 people or a thousand people into the town of Gravesend, without your knowing something about it? A. No, sir; you could not.

Q. Now, I ask you as a sergeant of police, whether or not, a thousand people came into the town of Gravesend on the seventh of November, and went out on the eighth? A. I do not, sir.

Q. Then kindly tell this committee how many did come in and how many went out? A. I can't tell.

Q. Don't you know that when fifteen people tried to come into the town they were stopped? A. No, sir.

Q. Don't you know that on election day fifteen people tried to come in before the polls opened and that they were turned away? A. I heard afterwards; yes.

Q. Who told you? A. I couldn't say who.

Q. You were not there? A. No, sir.

Q. Where were you just about that time? A. I couldn't exactly say where I was.

Q. Couldn't tell where you were? A. Not exactly.

Q. Have you any idea? A. No; I haven't got the slightest.

Q. That was pretty near 7 o'clock? A. I couldn't say where I was then.

Q. How far were you away from the polls an hour before they opened? A. I was up there about half-past 5.

Q. Standing on the outside of the town hall, I suppose? A. I was waiting for the third election district polls to be opened.

Q. In that town? A. In that town; yes, sir.

Q. Don't you know that just in front of where you stood there was some carriages came up and fifteen people tried to get through the 150 feet line and were prevented? A. No, sir.

Q. How long after that was it? A. I couldn't say, sir.

Q. Weren't you there? A. No, sir.

Q. You knew a commotion took place down there? A. Not until after it took place; I wasn't present when it took place.

Q. You say you were there at 5 o'clock? A. Half-past 5 in the morning at the opening of the polls.

Q. What prevented you from seeing it? A. I don't know.

Q. You knew it took place? A. Not until afterwards.

Q. What time did it take place? A. I couldn't say, sir.

Q. Did you leave the town hall? A. I wouldn't say positively, but I wasn't there then.

Q. Did you leave the town hall at the time these arrests were made by Mr. Newton and Mr. McKane and others?

Objected to, that it has not been shown anywhere in these proceedings that arrests were made by Mr. McKane and Mr. Newton and others.

The Chairman.— Strike out about the arrests.

Q. You got there about 5.30? A. Yes, sir.

Q. When did you get in the town hall? A. Around 6 o'clock and something; 6.40.

Q. Were you here the other day when Mr. Bacon was on the stand in these proceedings? A. No, sir.

Q. Did you read the account of his testimony in the papers? A. No, sir.

Q. And it has not interested you a particle? A. No, sir.

Q. Did you see Mr. Bacon on election day? A. No, sir.

Q. You know there was a row down there? A. Afterwards I heard about there being a row.

Q. But there wasn't enough noise on the surface or in the air to attract you away from the watchers? A. No, sir.

Q. You were so faithful that you didn't leave the town hall; you didn't go forth when this row took place? A. No, sir.

Q. Where were you? A. I couldn't say where I was.

Q. You knew that you were watching about that time? A. Yes.

Q. An hour before the polls opened? A. Yes, sir.

Q. But you can't tell where you were watching? A. No, sir; I wasn't around then.

Q. Then you want to be understood as saying that, in your capacity as a police officer, you didn't hear of any row taking place until after it was all over? A. Not until afterwards; no, sir.

Q. Were you in the town hall when Mr. Rosendale came in there? A. No, sir.

Q. You didn't hear about that row? A. No, sir; not until afterwards.

Q. Can you tell us when it happened? A. No, sir.

Q. You didn't see any of the rows that took place in Gravesend on the seventh, did you? A. I did not; no, sir.

Q. And you didn't hear of any of them until after they were over? A. Not until after they were over.

Q. Don't you think that a little bit strange for a police sergeant? A. No, sir.

Q. There are other rows that have happened down there, and you didn't hear of them until after they were over? A. Not until they were over.

Q. Can you give the committee any idea whether more than 350 to 400 people lived in occupied residences in the second district on November last? A. I could not.

Q. And wouldn't you be surprised to hear that there was more than that? A. No, sir.

Q. Why? A. Because it is on a big district.

Q. All the hotels were closed? A. Not all.

Q. Name some that were open? A. I couldn't tell you.

Q. Then, how do you know they were not closed? A. I know some are all the time open.

Q. You can't name any that were open? A. No, sir; I can't name all.

Q. Can you name any? A. A few.

Q. Do so? A. Clarendon Hotel, Stubenbord's Hotel, the Mason's Hotel is open.

Q. Confine yourself to the second district? A. Mason's is in the third district; Cohn's; I couldn't say how many down along Surf avenue.

Q. You have named three places? A. I couldn't say how many.

Q. You have named three places? A. Yes; those three principal places.

Q. And they are all in the second district? A. Yes.

Q. Sure? A. Yes; I couldn't name them all; I couldn't say.

Q. Name another one? A. There were a few more down there, but I don't know their names; I couldn't call them by name.

Q. You have named two, and you can't name any more; now, we will come back and see how many people were in those hotels on the seventh of November? A. I couldn't tell you.

Q. Do you know anybody down in Gravesend who knows less about it than you do? A. I couldn't answer that.

Redirect examination by Mr. Judge:

Q. That is, what you mean to say, sergeant —

Objected to.

Q. Do you know that Mr. Bacon, about whom counsel questioned you in your cross-examination, at any time swore that you were at police headquarters on the morning of election day, or have you learned that? A. I believe he did swear to an affidavit.

Q. And on that affidavit were you charged of anything? A. I was.

Q. What was it? A. In that contempt proceedings.

Q. What was the termination of that proceeding, and why? A. Because they failed to identify me and I was discharged.

Q. Did Mr. Bacon acknowledge his error? A. Mr. Bacon did.

Q. How did you vote on election day, if you care to explain it? A. I voted what you call a split ticket.

Q. Did you vote for some of the Republican candidates? A. I did.

Q. And those that you voted for was in accordance with what you deemed right, and those you did not vote for was what you

termed wrong, in your party estimation? A. Well, I couldn't exactly say whether it was.

Q. When you were talking about the list that you were cross-examined as to, you spoke of some lists that were in the different polling places? A. Yes.

Q. This list that you spoke of was the registry list? A. Yes, sir.

Q. Not the polling list? A. No; registry list.

Q. It was before election day? A. Yes, sir.

Q. In the third district, did you see any ballots put in the box in bulk that were not voted by individual persons? A. No, sir.

Q. Or anything resembling that? A. No,sir.

Q. And did you see the major part of the vote that was cast in the third district, cast by anybody else? A. Yes, sir.

Q. When you testified as to your knowledge of the second district, you know where the ocean is? A. Yes, sir.

Q. And you know the ocean is there without going to see it every day? A. Yes, sir.

Q. And when you testified of your knowledge of hotels being open, you testified from your general knowledge? A. From my general knowledge.

Q. You had a watcher's certificate in the form testified to? A. Yes, sir.

Recross-examination by Mr. Elliott:

Q. Counsel asked you a question of your splitting the ticket; now, won't you tell us what Republicans you voted for? A. Yes; I will tell you; the sheriff.

Q. You voted for Mr. Buttling? A. Yes, sir.

Q. Anybody else? A. I think there is; yes.

Q. You can't remember any others? A. No; I remember him more particularly.

Q. You can't remember that you voted for anybody else? A. No, sir.

Q. What caused you to remember that you voted for sheriff Buttling alone? A. On account of being an old fifth warder.

Q. You came from that section? A. I came from the second.

Q. And Mr. McKane or anybody else couldn't cause you to change your vote on that? A. No, sir.

William J. Cox, called on behalf of committee, being duly sworn, testified as follows:

By Mr. Durack:

Q. Where do you reside? A. Twelve Suydam place.

Q. You are acquainted with Mr. William H. Friday? A. I am.

Q. You met Mr. Friday some time before the election? A. I did.

Q. In this examination Mr. Friday has testified as follows: The question was, "Will you state to the committee what that conversation was," meaning a conversation with Mr. William Cox, and the answer was, "I told him I was doing my campaign work in Gravesend, and he laughed at me, and said no votes would be counted for me;" did you make any such statement as that? A. No, sir.

Q. Did you state anything that meant that?

Objected to. Objection sustained.

Q. You did not say to him that votes that might be cast for him would not be counted? A. I did not.

Q. Did you say that in substance to him? A. I did not.

Q. Did you offer to bet Mr. Friday that he wouldn't get fifty votes in Gravesend, because they wouldn't be counted? A. I did not.

Q. Or that in substance? A. I did not.

Q. In an affidavit signed by Mr. Charles Murch, who has not been called here as a witness, this statement appears; he says that Mr. William Cox advised Mr. Friday to take his time, that no matter what votes were received they would not be counted; did you give any such advice to Mr. Friday? A. I never had a conversation of any kind or character with Mr. Friday from the beginning of the canvass to the finish, neither before nor since.

Cross-examination by Mr. Elliott:

Q. You are a warm admirer of Mr. McKane? A. I am.

Q. And have been for a great many years? A. Yes, sir.

Q. And are to-day? A. Yes.

Q. And you believe he is a very much persecuted man? A. Yes, sir.

Q. You are a man of very strong convictions? A. I don't know as I could offer an opinion on that; I leave that to be decided.

Q. But I say you are a man of strong convictions? A. I leave that to be decided.

Q. To whatever you may believe to be the right of any question you hold very tenaciously? A. In a majority of cases where it is practicable.

Q. If you adopt a theory in your own mind upon any question you hold firmly to it until you are convinced about it? A. Yes, sir.

Q. You do recall having a conversation with Mr. Friday? A. Yes, sir.

Q. And you have already sworn with positiveness that you didn't state anything of the kind and you don't desire to change your opinion? A. No, sir.

Q. You do recall having had a conversation? A. Yes, sir.

Q. And you now recall what that conversation was in substance? A. Yes, sir.

Q. Now, let me see if I can't refresh your recollection; do you remember any remarks about making a bet at all? A. No, sir.

Q. Did you say anything about a bet? A. No, sir.

Q. You know there is a very familiar expression, I will bet you so and so? A. Not in the sense you put it.

Q. I mean to say did you use that language? A. No, sir.

Q. Did you use the language whether you meant it or not? A. Not in the sense you put it.

Q. Did you use the word bet at all? A. I may have used it, and I think I did; I will explain it when I get the answer my way.

Q. Did you use the word at all? A. I didn't use it.

Q. Did you, in any manner, shape or form, in any form or for any purpose, use the word "I bet you?" A. I said no to that.

Q. Did you use the word at all? A. No, sir.

Q. And did you offer to bet him? A. No, sir. [There is no reason for it.]

The part of the answer in brackets is objected to by Mr. Elliott and stricken out.

Q. Give us the conversation ? A. I met Mr. Friday just after he was nominated, and he asked me what I thought of it; I told him I thought his chances was poor, except there might be such a thing as a tidal wave, and said if there was he might pull through; he said he is going down through the towns, and I said "You are very foolish; my advice is to stay in the twenty-fourth and twenty-fifth wards; if you stay away from the towns you will get the Republican vote, and if you go there you will create an opposition; town people always vote for townspeople, and the consequence will be if you go there you will get very few votes."

Q. Did you say "You are only wasting your time going down there ?" A. No; I did not need to say that.

Q. Didn't you say you would bet him a suit of clothes ? A. No, sir.

Q. Didn't you, at the Republican headquarters, before election, bet him a hat, in the presence of other people, that he wouldn't get fifty votes in the town of Gravesend ? A. No, sir.

Q. No recollection of it ? A. No, sir; I never had any conversation with him on the matter at that time.

Q. At headquarters ? A. Right down below here ?

Q. Yes ? A. I may have talked it over down there, but I made him no bet of a hat.

Q. Whatever conversation you may have had with him at the Lawrence street headquarters, you don't now recall ? A. I don't remember having any conversation with him at headquarters, except to ask him how he was getting along.

Q. This was friendly ? A. I was friendly enough to vote for him, and if he had done as I told him and stayed in the twenty-fifth and twenty-fourth wards he would have been elected.

Q. Now you think enough of maintaining your own opinion to have done what you could to assist the other side to show that your advice wasn't taken, and by reason of that fact he didn't get as many votes in the twenty-fourth and twenty-fifth wards? A. No, sir.

Q. Didn't you aid the committee in getting the figures for the contestee? A. I gave them no aid.

Q. How did they get at the facts? A. From the facts of having affidavits made against me.

Q. Have you had any conversation with them about it? A. Not at all; everybody speaks to me and asks: "Did you have a talk with Mr. Friday," and I said: "Yes;" they told me what the affidavits were, and I read it in the paper also, and of course I knew I didn't say so.

Q. When have you seen Mr. Judge or Mr. Durack before you went on the witness stand? A. I see him this morning when I came in, and I asked him if he wanted me this forenoon.

Q. When were you served? A. I wasn't served at all.

Q. You came here voluntarily? A. Yes, sir.

Redirect examination by Mr. Durack:

Q. I stated to you that I would require you here as a witness? A. Oh, yes.

Q. Do you know where Mr. Graham resides? A. I know he resides in Canarsie.

Q. In the town of Flatlands? A. Yes, sir.

Q. What are your politics? A. Republican.

Q. How long have you been a Republican? A. All my life.

By Mr. Elliott:

Q. Do you remember in that same conversation that you told him you were working, yourself, for John Y. McKane? A. I never told him anything of the kind, because I never worked for John Y. McKane.

James Cumming, called on behalf of the contestee, being duly sworn, testified as follows:

By Mr. Judge:

Q. Where do you reside? A. Sheepshead Bay.

Q. How long have you resided there? A. About fourteen years, I guess.

Q. In what election district of the town of Gravesend is your residence? A. Fourth district.

Q. What is your politics? A. Well, I am a Republican.

Q. What did you say your business is? A. Carpenter and builder.

Q. You employ a large number of men in the town? A. I employ two or three.

Q. Did you officiate at the last election? A. I was a watcher.

Q. In what district? A. Fourth district.

Q. A watcher for what party? A. Republican.

Q. Did you have a watcher's certificate? A. Yes, sir.

Q. Signed by William J. Buttling and Mr. Wray? A. Yes, sir.

Q. William J. Buttling as president of the Republican organization of Kings county? A. Yes.

Q. And by Mr. Stratton, the executive member in the town of Gravesend? A. Yes.

Q. And Mr. Williams, the chairman of the Republican association? A. Yes, sir.

Q. And in the fourth district, were you there all day? A. I wasn't there all day, but I was on and off all day.

Q. Were you there at the opening of the polls? A. I was there in the morning early about 6 o'clock.

Q. Did you see the ballot-box before the voting started? A. Yes.

Q. Was there any ballots in it? A. No, sir.

Q. Did you see any act of fraud committed in the fourth district? A. No, sir.

Q. Did you see any intimidation? A. No, sir.

Q. Or did you see any one hindered from voting? A. I did not.

Q. Or did you see any ballots put in bulk in the box in that district? A. No, sir.

Q. Or did you see any official put in ballots except what was cast by individuals? A. I did not.

Q. Were you out any around the second district at all that day? A. I don't know; I couldn't tell you exactly where the second district is.

Q. Was there a large crowd around the town hall? A. There were quite a crowd there.

Q. How many votes were cast in each district? A. I think 370; I am not sure.

Q. Did you see the counting of the vote after the voting closed? A. Yes, sir.

Q. Were you there all the time, or in and out? A. I was there most of the time.

Q. Were you there when the ballots were taken out of the box to be counted? A. Yes, sir.

Q. Did you see any act of fraud or adding to the number of ballots in any way by any election officer? A. I did not.

Q. Or by anyone? A. No, sir.

Q. Who was the watcher with you at that district? A. Robert Clark.

Q. Did you see any of the voting in the other districts? A. No; I was confined to the fourth all the time, and then when I went away from there I went directly away from there so I couldn't see any of the rest.

Q. From your observation was there, in your opinion, any fraud or intimidation or hindering of voters, or any illegal votes cast in the fourth district? A. I don't know; I didn't see any, so, of course, I don't know anything about it; I don't think there was.

Cross-examined by Mr. Elliott:

Q. Where do you live? A. Sheepshead Bay.

Q. You have lived there for fourteen years? A. Fourteen or fifteen.

Q. How long have you been a Republican? A. I have been a Republican ever since I voted.

Q. How long is that? A. About eight years, I guess.

Q. And you are how old a man? A. I am 29.

Q. Then it is just eight years? A. Just about eight years since I voted first.

Q. Do you know Mr. McKane.

Objected to. Objection overruled. Exception taken.

A. Yes, sir.

Q. You are a member of the John Y. McKane association? A. I am not.

Q. Were you ever? A. No, sir.

Q. Do you know Mr. McKane? A. I do.

Q. Are you on speaking terms with him? A. Yes, sir.

Q. Do business with him? A. I have when he was in the building business.

Q. In what capacity? A. Well, just to get some lumber from him; that is all.

Q. And up to what time did you pay him bills? A. About four years ago, I guess.

Q. You don't take any interest in politics, do you? A. Well, no; not a great deal; I haven't got much time.

Q. But the little time you do have you take an active interest? A. Well, no; I don't.

Q. How did you happen to become a watcher? A. I was appointed a watcher, and I thought I had to go.

Q. Who appointed you? A. The general committee.

Q. What general committee? A. Buttling and Wray and Mr. Stratton.

Q. When you got your appointment did you go and see Mr. McKane? A. I did not.

Q. Did you have any talk with him about it? A. I did not.

Q. Where did you go when you got the certificate? A. I went home.

Q. Where did you go the next morning? A. I went up to the polls.

Q. With whom? A. With myself.

Q. Nobody else? A. No, sir.

Q. What poll did you go to? A. I went to the fourth district.

Q. Nobody see you at that time? A. I suppose there were a lot of people see me; I didn't see them to talk to.

Q. You didn't talk to anybody about it? A. No, sir.

Q. Do you read the papers? A. When I have time I do.

Q. Did you have any time the day before election? A. I did not.

Q. Why? A. Because sometimes we go out, and when I came back from the village that night—

Q. What village? A. Sheepshead Bay; where I live it is a good ways from the depot and the post-office, and being away

to work all day, and by the time you go down there and come back it is nearly bedtime.

Q. And that is the same every time you go down? A. I don't go down every evening.

Q. That is the same every time you get the papers? A. O, no; we get the papers every day.

Q. Then why didn't you read the paper that night? A. I don't know why I didn't.

Q. But you didn't? A. I remember I didn't.

Q. Were you told not to look at it because there was something about Republican watchers? A. Oh, no.

Q. Why didn't you read it? A. For the reason I told you; I didn't read it last night.

Q. For the same reason? A. For the same reason.

Q. Then, do you want this committee to understand that you didn't know there were other watchers appointed than those? A. I didn't know anything about it.

Q. Until when? A. When I opened the certificate; when I seen what it was; before I didn't know what a watcher was.

Q. When did you first hear that other watchers besides those Mr. Stratton appointed were to be appointed? A. I told you I didn't hear of it.

Q. When did you first hear it? A. Sitting here in the court I heard it once; I heard it several times before.

Q. Then, you don't take any interest in affairs going on in Gravesend? A. I take an interest into them, but I don't know as there is much into them for me; there is more into my business.

Q. Now, how long before election did you read the Brooklyn Daily Eagle?

Objected to. Objection overruled. Exception taken.

A. I guess it must have been a year.

Q. What paper do you take? A. I take the New York Herald.

Q. You take the New York Herald? A. Yes.

Q. Then, didn't you see and read in its columns every day a whole description of the alleged crimes being committed in Gravesend? A. No; I did not.

Q. Didn't you find out in the six days previous to the day you received your watcher's certificate that proceedings were being taken against the Gravesend officials because they wouldn't permit the lists to be copied? A. No; I did not.

Mr. Judge objects that it was not in the papers. Objection overruled.

Q. Do you or not wish to be understood that you never found, living in the town of Gravesend, Sheepsheads Bay, or Coney Island, you never knew there was such a thing as a controversy in reference to the watchers or in reference to the registry lists in the town of Gravesend? A. Previous to election, or after election?

Q. I have asked you for six days previous to election? A. I don't know nothing about it for I didn't hear anything about it.

Q. When did you first hear about it? A. After election.

Q. When? A. I can't say, but after election, two or three days.

Q. Did you know of any row going on around the town hall on election day about watchers? A. I did not; not until afterwards.

Q. What time afterwards? A. I heard it the next morning.

Q. What time did you go home that night? A. I went home about 9 o'clock.

Q. Didn't you stop at any place before you went home? A. I did not.

Q. And didn't have any talk with anybody? A. I don't recollect now; I think there was someone went down the road with me.

Q. You are a full-grown man, of 29 years of age, with sufficient intelligence to be a Republican watcher on election day, and you want this committee to understand that in spite of the intense excitement that raged at Gravesend on election day, you never heard a thing about it until the next morning? A. I didn't hear anything about any excitement.

Mr. Judge objects to the question and answer and moves to strike that out. Motion denied. Exception taken.

Adjourned to Friday, January 19, 1894, at 10 a. m.

IN THE MATTER OF THE ELECTION OF MEMBER OF ASSEMBLY FOR THE SIXTEENTH ASSEMBLY DISTRICT OF KINGS COUNTY, NEW YORK, WILLIAM H. FRIDAY, CONTESTANT, AGAINST JAMES GRAHAM, CONTESTEE.

January 19, 1894.

Samuel Coles, called in behalf of contestee, being duly sworn, testified as follows:

By Mr. Judge:

Q. Where do you reside? A. Coney Island.

Q. Do you remember last election day? A. Yes, sir.

Q. What is your politics? A. Republican.

Q. Did you officiate as an officer or a watcher at the last election? A. Watcher.

Q. Did you have a watcher's certificate? A. Yes, sir.

Q. Signed by Mr. Buttling, president of the Kings County Republican association and Mr. Wray as secretary? A. I believe so; yes, sir.

Q. And by Mr. Williams aud Mr. Stratton? A. Yes, sir.

Q. One as president of the general association of Republicans and one as the executive member of the town? A. Yes, sir.

Q. In what district were you! A. I was appointed in the Second.

Q. In what district did you live? A. In the Third.

Q. Did you vote in the Third? A. I did, sir.

Q. And when did you arrive at the Second district? A. In the morning about quarter past 5.

Q. Were you there when the polls were opened? A. Yes, sir.

Q. Did you see the election officials taking the wrappers from the ballots and getting them in order? A. Yes, sir.

Q. Did you see the ballot-box? A. I did.

Q. Was it empty? A. It was.

Q. Just state how long you were there during the day and what you did; whether you went in or out and what you did? A. I only went to my meals and went out when it was necessary.

Q. You were there then the whole of the day except when you went out, as you say? A. Yes, sir.

Q. You left there to vote, didn't you? A. Yes, sir.

Q. When you were voting in the Third district — when you went in to vote—were the booths in the polling places filled and rapid voting going on? A. Yes, sir.

Q. In the Second district, as a watcher or otherwise, did you see any fraud or intimidation? A. No, sir.

Q. Or any one hindered from voting, Republican or Democrat? A. No, sir.

Q. Did you stay there after the polls closed? A. Yes, sir.

Q. What did you see then? A. All I see was getting ready to count the votes.

Q. Did they count them? A. Yes, sir.

Q. Were you there during all the count? A. Yes, sir.

Q. During the day did you see any ballots put in the ballot-box in bulk? A. No, sir.

Q. Or see any ballots put in the box and voted for people who were not there? A. No, sir.

Q. Who had not appeared individually? A. No, sir.

Q. Did you that night see any ballots cast for any candidate that were not counted? A. No, sir.

Q. Or any miscounting? A. No, sir.

Q. Did you assist in the count at all? A. A little but I got tired of it; I didn't get all through it.

Q. Did you make any objection as a watcher to anything that was done on that day? A. No, sir.

Q. Did you see anything to object to? A. No, sir.

Q. How long have you lived in Coney Island? A. Off and on for about thirteen years.

Q. In this last year or two were there many new hotels put up in this Second district? A. Yes, sir.

Q. In what place and around what vicinity were they erected? A. Well, some in the Bowery and some on Surf avenue.

Q. Who was with you in the Second district at the time of the count, any one? A. That assisted me?

Q. Yes. A. Gilbert M. Stratton.

Q. And who was the other watcher? A. The other watcher?

Q. Yes. A. He and I was the only ones.

Cross-examination by Mr. Elliott:

Q. Who told you to come here? A. I had notice last night left at my house.

Q. You understand my question? A. Yes, sir.

Q. Is there any answer to it; who told you to come here? A. Nobody told me.

Q. Who have you conversed with about coming here? A. Nobody.

Q. What do you do for a livelihood? A. I am a carpenter; I work with my brother-in-law.

Q. Who does you brother-in-law work for? A. He is a contractor.

Q. He works for somebody? A. Yes, sir; he is a contractor.

Q. Won't you tell us who he works for? A. Charles Morson.

Q. Anybody else? A. No, sir.

Q. You mean just what you say? A. I mean just what I say.

Q. He don't work for Mr. McKane? A. No, sir.

Q. And never did? A. He has, yes; some years ago.

Q. Does he work for Mr. Stratton? A. No, sir; never.

Q. Whereabouts do you live? A. I live in Coney Island.

Q. There is quite a number of places in Coney Island? A. What is called Van Siclen Station; no name to it.

Q. Is that near the Bowery? A. No, sir.

Q. How far away from the Bowery? A. It is about a quarter of a mile.

Q. You live in the Second district? A. I voted in the Third.

Q. What were you doing in the Second district? A. I was appointed watcher there.

Q. Who appointed you? A. The president of the Republican Association.

Q. Who is that? A. Captain Williams.

Q. What are your politics? A. Republican; always was.

Q. Are you a member of John Y. McKane's association? A. No, sir.

Q. How long have you been a member of that? A. I have never been a member of it, and no association in Coney Island except the Fire association.

Q. He belongs to that? A. I don't know whether he does or not.

Q. You don't know McKane? A. Oh, Yes.

Q. You have seen him? A. Yes, sir.

Q. Where did you see him? A. Coney Island.

Q. Did you ever speak to him? A. Oh, yes.

Q. Do you remember the last time you spoke to him? A. I haven't seen him lately.

Q. You saw him election day? A. I saw him election day, yes.

Q. Did you have a talk with him election day? A. Yes, sir.

Q. You know that you are on oath don't you? A. Yes, sir.

Q: In view of that fact I want you to tell us what time you got to the polls on the morning of election. A. Quarter past five.

Q. Whom did you find there? A. I found a few people there so early in the morning.

Q. Give us the names? A. Mr. Ryan, Mr. Lyons and Mr. Stubenbord.

Q. Have you named all those that were there attending to their duties? A. Yes; there was the election inspector.

Q. Anybody else? A. Yes; the poll clerks were there.

Q. Who were they? A. One was Henry Welty.

Q. Do you know the other? A. I don't know the other, no, sir.

Q. Anybody else? A. I think one of the Democratic watchers was there.

Q. Do you know his name? A. Rapp, I believe.

Q. Any one else? A. No, I don't remember seeing any one else there at that time.

Q. How near were you as a watcher to the ballot box? A. I was right behind the rail.

Q. I don't know how far that is. A. It is about two feet, I should think.

Q. And how far were the booths from the ballot boxes? A. About four or five feet, I can't say exactly.

Q. And you took your station at the rail at the opening of the voting, did you? A. Yes, sir.

Q. Was there a line formed? A. Inside?

Q. Yes. A. No, not a regular line; there was only so many allowed in the room at once, as much as they could accommodate.

Q. What do you mean by in the room? A. In where the booths were in the district.

Q. You mean they allowed a certain number of people and then shut the door? A. The door wasn't really shut, it could be opened by anybody.

Q. Can you give the committee some idea about how many people were allowed in the room? A. I should think there were about eight.

Q. Then if six were in the booths, there were only two others outside; is that so? A. Yes, about that; yes, sir.

Q. I want you to think about that, because I am going to ask you some other questions on that same point.

Objected to that he should not caution the witness.

Q. Is it the fact that the six booths were full and there were two others outside? A. There were more than that outside sometimes.

Q. How many could you give us as the greatest number? A. About the same number right along all the while.

Q. The same number would be two; give us the lowest that was outside at any one time. A. Eight, I should think, maybe less.

Q. I want you to tell us, because you were there as a watcher. Give us the greatest number that was outside when the booths were full at any one time. A. That is as near as I can remember; some was in the booth and others was let in; just as soon as they came out of the booth these others would get in and take their places.

Q. If you don't understand my question I will repeat it. When the booths were full at any time tell us the greatest number of persons that were outside the booths in the room waiting to vote? A. That is about the best answer I can give you.

Q. [Repeated.] A. There was quite a crowd out there waiting to come in.

Q. [Again repeated.] A. Eight in the room waiting for those to come out to take their places.

Q. And that is the most at any one time during the day, eight? A. That is about the largest number I think there was in the room; that is, that was allowed in the room.

Q. And you stand by that, will you? A. Yes.

Q. How do you account for the fact that Sergeant Murphy, who voted there, said that when he went there to vote, there

were twelve and nine ahead of him, and the booths were full; do you remember that? A. I don't remember that.

Q. He said there were people behind him, and twelve ahead of him, and the booths were full. A. I wasn't there.

Q. You don't remember that that fact existed, do you? A. I don't know; I wasn't in all the whole time.

Q. Were you there at all, my friend? A. I was; yes, sir.

Q. Were you there for more than a minute? A. Oh, yes.

Q. How much more? A. I was there pretty much all day.

Q. What do you mean by pretty much all day; you went out and in like everybody else, didn't you? A. No.

Q. You had no suspicion of anything being wrong? A. No.

Q. You had no occasion to be in there then? A. I was there as a watcher; I stayed there I should think about twelve hours.

Q. Continuously? A. No, I went out when it was necessary,

Q. Whenever you wanted to go? A, Yes, sir.

Q. You didn't keep any tally of time? A. No, I should think I stayed out altogether about two and one-half hours.

Q. Wouldn't you make it five during the entire day? A. No. sir.

Q. Isn't it a fact that you stayed out five hours? A. No, sir; I didn't stay out five hours.

Q. Will you make it three? A. Well, the longest, from two and one-half to three hours.

Q. And what part of three hours were you away? A. I was at my meals mostly, that took the longest time.

Q. Did you stop anywhere to get any refreshments? A. No, sir.

Q. You don't drink? A. I drink once in awhile.

Q. You didn't drink on that day? A. I might, yes.

Q. Have you any recollection of it? A. No, I haven't.

Q. Is it because you didn't drink that you have no recollection of it? A. I didn't drink anything that day; I don't believe I drank a drop that day.

Q. What will you say, did you or did you not? A. I did not.

Q. Why couldn't you say that before; you knew what I asked you? A. Yes, sir.

Q. And now you remember positively that you didn't drink? A. I didn't drink any spirituous or malt liquors.

Q. Will you tell this committee when the counting commenced? A. I should think about a half an hour or an hour after the polls were closed.

Q. You voted the straight Republican ticket? A. Yes, sir.

Q. Do you want this committee to understand that you saw 1,500 people vote? A. I saw a great many vote, more than I ever see before.

Q. That isn't the question; you were there as a watcher, twelve hours? A. Yes, sir.

Q. I ask you the question, do you want this committee to understand that you saw 1,500 people vote? A. Yes, sir.

Q. How long did it take you to vote? A. It took me about two or three minutes.

Q. And you are an expert in voting, are you not? A. No, I am not.

Q. You are as rapid as the majority? A. It didn't take me very long.

Q. It didn't take you more than two or three minutes? A. No, sir.

Q. Wouldn't you say it didn't take you five minutes to vote? A. No, sir.

Q. How many were ahead of you? A. Quite a number ahead of me.

Q. How many? A. I couldn't say.

Q. Well, approximately; you said a good many; about how many were there? A. I should think there was about twenty-five or forty ahead of me; I don't know which; I couldnt't say.

Q. You were not doing the watching then? A. I just come from my breakfast then.

Q. And those twenty-five were inside? A. No, I said there was probably that voted ahead of me.

Q. I ask you how many persons were ahead of you waiting to vote when you voted? A. There was only about five in there, I should think, when I voted; there was one booth vacant when I went in; that was in the Third district.

Q. Then you hadn't to wait at all; there was no line formed and there was an empty booth? A. There was an empty booth.

Q. You, of course, had to give your name? A. Yes, sir.

Q. And get you ballots? A. Yes, sir.

Q. You went inside? A. Yes, sir.

Q. You looked at your ballots, didn't you, each one of them? A. Yes, sir.

Q. And you folded up each ballot? A. I folded up each ballot.

Q. And you took four ballots in one hand and one in the other? A. Yes, sir.

Q. You came out again? A. Yes, sir.

Q. And gave your name and address? A. I gave my name but no address.

Q. And voted? A. Yes.

Q. Won't you tell how long it took you? A. I don't think it took over three minutes.

Q. Are you quite certain about that? A. It didn't take me no five minutes.

Q. Are you sure of that? A. Yes, sir; I am.

Q. And there was absolutely no obstruction to your voting from the time you went in till you cast your ballot? A. No, sir.

Q. And you now repeat your belief that 1,500 people voted there that day? A. Yes, sir.

Q. Did the people vote rapidly as you did? A. I didn't take any notice.

Q. You were there as a professional watcher? A. Yes.

Q. You don't want it to be on the record that you took no notice? A. No, sir.

Q. You withdraw that then don't you? A. No.

Q. Did you or did you not as a watcher take any notice of what was going on? A. I did; yes.

Q. Now, having taken notice, tell this committee whether or not you noticed that this voting was rapid? A. Some of it was; yes.

Q. Was there any of it more rapid than your own voting when you were voting there unobstructed? A. I don't know.

Q. But you were there for the purpose of noticing, weren't you? A. Yes; I think there was.

Q. Can you name a man that voted more rapidly than you? A. No; I couldn't.

Q. Didn't the fact that a man could vote more rapidly than you attract your attention at all? A. Yes.

Q. What was the name of the man that voted more rapidly than you? A. I couldn't tell.

Q. Can you identify him in any way, a man with so much speed who went in there and voted so much quicker than you did, can't you tell how he was dressed? A. No, I can't remember.

Q. But there was one man? A. Yes, I guess there was more than one man.

Q. How many more? A. I couldn't tell you.

Q. Was there a half dozen more? A. I guess so, yes.

Q. Tell the committee how many voted more rapidly than you did! A. I noticed a half dozen that voted more rapidly than I did; I know one man went in there and it seemed as though he went in and right out again.

Q. You noticed him do that? A. Yes, sir.

Q. Will you tell this committee whether you saw any man vote there in less than two minutes? A. No; I wouldn't say that.

Q. And you were there as a watcher all day? A. Yes, sir.

Q. Now we come down to the canvass; you stayed there and watched the count? A. Yes, sir.

Q. Did you see 1,500 ballots counted? A. I did; yes, sir.

Q. Saw them counted one by one? A. Yes, sir, in bundles of ten. Tallied every ten.

Q. What pains did you take to see whether the ballot-box was empty in the day time when the polls were first opened? A. There was a glass in front of it, I could see and I couldn't see anything in it.

Q. Who was there in the interests of the Republican party? A. Mr. Stratton.

Q. You do know that Mr. Stratton was a very warm friend of Mr. McKane, don't you? A. I suppose he is; yes, sir.

Q. Will you tell this Committee who was there in the interests of the Republican party? A. Mr. Stratton is all I know.

Q. He is the only one that you know? A. Mr. Williams. Do you mean around the polls?

Q. Yes, I mean watching the machinery of election on election day? A. Yes.

Q. Are you familiar with election laws? A. No, not very well posted.

Q. Then you couldn't tell whether any fraud was committed or not? A. I could tell whether there was any illegal voting; yes, sir.

Q. How could you tell if you don't know the law; you don't have to knock a man down and punch him in the eye in order to have illegal voting, do you? A. No.

Q. If you don't know the law how can you say there was no illegal voting? A. I didn't see one man vote twice or anything like that.

Q. That is what you mean by illegal voting? A. Yes, sir.

Q. A man must vote twice in order to be an illegal voter? A. Yes, sir.

Q. Did you keep a pretty good watch on what the inspectors did? A. Yes, sir.

Q. And they performed their duty as you understood it? A. Yes, sir.

Q. Were you one of the copyists? A. No.

Q. Did you see the registry list before election day? A. No, sir.

Q. Have you ever seen it? A. No sir.

Q. Did you have a look at the poll list after election? A. No, sir.

Q. Did you see it on election night? A. No, sir.

Q. Then you know nothing about that? A. No, sir; nothing about the registry lists.

Q. Who talked with you about you being appointed a watcher? A. Captain Williams.

Q. After election was over that night where did you go? A. I stayed around there till the count.

Q. And then where did you go after the count? A. I went home.

Q. Did you go over to the hotel? A. No, sir.

Q. Who went with you? A. Nobody went with me.

Q. You came from home alone and you went back alone? A. Yes, sir.

Q. Did you hear anything about other watchers being applied for by Mr. Gaynor to go to Gravesend on election day? A. I heard something about it.

Q. Who did you hear it from? A. Common report around.

Objected to. Objection overruled. Exception taken.

A. I said common report that was around; I didn't hear it from any single person; I heard some talk about it.

Q. You knew it was to appoint some other watcher than the ones that had been appointed? A. I didn't know of any other watcher being appointed.

Q. Didn't you understand that an application had been made by Mr. Gaynor to Mr. Justice Barnard to appoint other watchers? A. No, sir; I didn't know it.

Q. Have you ever known it? A. I knew it afterwards, after I heard it.

Q. When did you hear it? A. A night or two before election.

Q. And you knew that Mr. Gaynor's party didn't desire that the Republican watchers who were appointed should be appointed? A. Yes, sir.

Q. That didn't affect you though, did it? A. No, sir.

Q. You were going there to see the rights of the Republican party maintained in spite of that? A. Yes, sir.

Q. And from the time you went in until the polls were closed you saw nothing wrong? A. I saw nothing wrong.

Q. On the part of anybody? A. On the part of anybody.

Q. Did you hear anything about any row? A. No, sir.

Q. You didn't hear anything about anybody coming in the town as watcher and being sent away? A. No, sir.

Q. You heard nothing about it? A. No, sir.

Q. You are not a politician? A. No, sir.

Q. You are not interested in politics? A. I know something about politics.

Q. Have you been spoken to about what testimony you would give here to-day? A. Not a word.

Q. How did you know what you would testify about? A. I was here last Monday.

Q. Have you been attending these trials right straight along? A. Yes, sir, every time I have been subpoenaed.

Q. Tell this committee how long it took the inspectors to count and record 1,500 votes? A. Well it took them until nearly 4 o'clock, the time they closed the polls.

Q. Were any of the ballots scratched? A. I didn't see any.

Q. It was a clean sheet from top to bottom? A. Yes, what I see.

Q. You are sure of that? A. I am sure of it.

Q. There wasn't a scratch on any ballot? A. I didn't see any.

Q. You saw it all? A. Yes, but I didn't see any scratches.

Q. You didn't see a single scratch? A. No.

Re-direct examination by Mr. Judge:

Q. Did you time anybody? A. No, I didn't.

Q. Did you time yourself; did you take out your watch and keep time of your own vote? A. No, sir.

Q. When you say you went to the polling place to act as a watcher you didn't mean to say that you would go there in violation of any law or order of court, did you? A. No, sir.

Q. Was any order served on you; no court had ordered you not to do anything? A. No; I didn't have any order from any court.

Q. But you didn't know that an injunction had been gotten out sending watchers down to Gravesend two days before election, did you?

Objected to.

Q. Just state what you know about there having been any proceedings? A. All I know about any injunction is what I heard and read about it in the papers.

Q. Before or after election? A. Before election I heard something about it.

Q. About an injunction? A. Yes, sir.

Q. Or a mandamus? A. Yes, sir.

Q. Do you know the difference between them? A. Well, hardly.

Q. You testified before the Senate committee? A. Yes, sir.

Recross-examination by Mr. Elliott.

Q. But you did not know that an application had been made to the courts to prevent the watchers who had been appointed by Mr. Stratton, from serving, didn't you? A. No, I didn't know anything about that.

Q. When did you hear anything about that? A. The appointment was sent to my house.

Q. But when did you hear about the appointment or application for the appointment of other watchers than you? You told me that it was two or three days before; do you wish to change your testimony? A. No, I wouldn't change it.

Q. Then you heard of it two or three days before? A. I heard of it two or three days before.

John V. Berry recalled.

By Mr. Durack:

Q. In the testimony given by you some days ago in this matter I wish to ask you from what census you made the computations that you testified to.

Objected to.

Q. Did you distinguish those two computations in the testimony; did you distinguish which was the State census and which was the Porter census? A. I think I stated it.

Q. You claim to have been a statistician for twenty years or more? A. Yes.

Q. And in that time you have examined, of course, statistics from a great many census? A. Yes, sir.

Q. And as an expert you are qualified to state what the value of various statistics are? A. Yes, sir.

Q. As compared with statistics which you have examined, and which you are in the course of examining all the time, what is the value of Porter statistics or the Porter enumeration as a matter of statistics? A. That would be very hard to answer as a whole.

Q. Answer it in part, if you like, by comparison? A. I have done a good deal of finding fault with Mr. Porter's census, and undoubtedly in isolated cases it is very bad, and other times, as verified by the State census, they run so close together, that it is very good.

Q. I only want it as far as it relates to your testimony as to Kings county? A. It is undoubtedly true that two censuses, taken under two different administrations, one the State and the other under the national government, done by different sets of enumerators, that the fact that the enumerators find the same

number of inhabitants, that the presumption is they are both correct; at the same time where there is a wide variance between the two sets of enumerators and there is no disturbing influence, or probable reason or cause for the difference, you certainly, in making an analysis, find fault with one or the other, and it would be almost impossible, without stating a specific case, to ask an opinion upon either one or the other census.

Q. Did you find, as a matter of fact, from your analysis of Porter's census and comparison with the other returns that in those counties or States, or cities or sections, which were supposed to be Democratic in politics, that the returns were smaller than they were in those same districts in which the returns were of a different political character?

Objected to. Objection sustained.

Q. In those differences that you have found where you had occasion to find fault, as you state, with the Porter census —

Objected to so far as it is outside of Kings county.

Objection sustained.

Q. Do the irregularities apply to Kings county? A. It did to some portions of it.

Q. What portion of it? A. I think it would be fair to me and fair to the committee to allow me to explain: During the time of taking of both census I done a great deal of work, both for political organizations and for the papers on the two different census, and I would like to say that, while I consider the Porter census top-heavy, that it is required of enumerators to take a great many answers and ask a great many questions; that the enumerator was ofttimes liable to get lazy, and didn't go and do his duty; at the same time the State census was so easy to take that a man could go and sit down in a convenient gin-mill and pad it to suit himself; one erred in one way, one in the other; and the test made on censuses — for instance the tenth ward — I made a very careful estimate, based on the population as returned in 1875, the Bigelow census, about the sixth census taken under Mr. Porter, and again by the State census taken under Mr. Secretary Rice, and it showed such variance that it was almost inconceivable and impossible to have been taken correct so close

together; either one or the other must have varied; and the eighteenth ward, based on the ratio of the number of inhabitants and the average voter, there was an immense amount of aliens or else very few citizens; one out of nine and eighteen-hundredths voted; and the tenth ward, I think, jumped, in about two years, to 34,000 inhabitants, or about three-fifths as many as lived there before; and the eighteenth ward showed the same sudden increase, while other wards —

Q. You have stated, if I understand you correctly, that, according to the Porter census which, as you stated, is a top-heavy one, requiring a great deal more work than the State census and the city census, is merely an enumeration of individulas? A. Yes; except aliens and citizens.

Q. From your knowledge of these matters, and from your investigations of these tables in the last twenty years, which census, in your opinion, is the more valuable or accurate as to the means of information as to the number of people in any given district? A. Well, I believe I would rather take the State census.

Cross-examination by Mr. Elliott:

Q. As a matter of fact, and having had recent opportunity to investigate, which will you say is the most reliable census for the town of Gravesend, the State census or the National? A. I know very little about the town of Gravesend, other than examining the election.

Q. Only what you know and what information you have given me? A. I think I answered that when I said Gravesend is very eccentric and liable to do most anything.

Q. And didn't you say that by reason of the fact of the State census being counted in the gin-mill that the Porter census was much more reliable?

Objected to. Objection overruled.

Q. Is it not the fact that by reason of the United States census being more in detail, as affecting Gravesend, it is a much more reliable census than the State census? A. It would be almost impossible to answer that yes or no.

Q. Will you give us the best answer you can? A. I should think, in such a shifting population, that it would be, because of its requirement of detail.

Re-direct examination by Mr. Durack:

Q. Is the increase in population that appears from the State census, taken two years after the Porter census, such as you find to be a normal increase in places of that character? A. No, sir; it is not a very heavy increase, if they were both taken the same time of year, 1,481 increase.

Re-cross examination by Mr. Elliott:

Q. When was the Porter census taken? A. In June, 1890.

Q. And when was the State census taken? A. In February, 1892.

Theodore S. Wilkinson, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Judge:

Q. Where do you reside? A. Sheepshead Bay.

Q. How long have you resided there? A. In Sheepshead Bay or the town of Gravesend?

Q. The town of Gravesend? A. Sixteen years.

Q. What is your business? A. Carpenter.

Q. What is your politics? A. Republican.

Q. In what district did you vote on last election day? A. In the fourth.

Q. When you voted on election day, when you went in the election booth, in the polling place, were the booths full, or was there any counting there that you observed, that you remember? A. The six booths were full; yes; I had to wait until one came out.

Q. Did you act as watcher in any district? A. I did.

Q. In what district? A. The fifth.

Q. A watcher for what party were you? A. The Republican party.

Q. Did you have a watcher's certificate? A. I did.

Q. By whom was that watcher's certificate issued?

Objected to.

Q. The watcher's certificate that you had; who was that signed by?

Objected to.

Q. Do you know where the certificate is that you had, now? A. Now; at the present time? No, sir.

Q. Have you got it in your possession? A. No, sir.

Q. What did you do with it? A. Parties came for it, and wanted it in evidence, I sent it and where it went, I believe it went before the extraordinary grand jury, or somewhere, I don't know.

Q. By whom was that certificate signed? A. By the chairman of the Republican association.

Q. Name him? A. Mr. Buttling.

Q. Anybody else? A. Yes, sir; Mr. Williams and Mr. Stratton, I believe.

Q. And who is Mr. Williams? A. Mr. Williams is chairman of the Republican association of the town of Gravesend.

Q. Who is Mr. Stratton? A. I don't know in regard to what office he holds in regard to the association of the town of Gravesend, but I believe he is the executive committee of the Republican association from the town of Gravesend to the Kings county Republican general committee.

Q. What district were you a watcher in? A. The fifth district.

Q. When did you get there in the morning? A. I arrived there in the neighborhood of 6 o'clock; sometime before 6 o'clock.

Q. Were you there all day? A, I was, off and on.

Q. Do you mean you were in and out? A. In and out; yes, sir; of course.

Q. Did you see any fraudulent voting there? A. I did not.

Q. Did you see any fraud practiced? A. No, sir.

Q. Did you see anyone who voted twice? A. No, sir.

Q. Or any votes put into the box in bulk, except as they were taken from individuals? A. No, sir; I did not.

Q. Did you see anyone prevented from voting or intimidated? A. No, sir.

Q. And, so far as you observed, the election was fairly conducted? A. Yes, sir.

Q. Were you there after the vote was counted? A. Yes, sir.

Q. After the polls closed, were you there after that? A. Yes, sir.

Q. Did you see the vote counted? A. I stood there and looked at them counting it; yes, sir.

Q. Did you see any fraud committed by any false counting by the canvassers? A. No, sir.

Q. Were you close enough to see if there was any twice counted? A. I should judge that I was, but of course I couldn't read the names.

Q. But you could see the tickets? A. Yes, sir.

Cross-examined by Mr. Elliott:

Q. You have good eyesight? A. Well, middling in the day-time.

Q. And a good recollection? A. No, sir.

Q. Your memory is poor? A, At times; yes.

Q. How is it now? A. Pretty good.

Q. It is up to date now, is it? A. Yes, sir.

Q. You remember the last election? A. I do.

Q. Was there anything occurred to impress it upon your memory above any other election? A. No.

Q. Nothing at all? A. No, sir.

Q. It was the usual Gravesend election? A. Yes, sir.

Q. And nothing disturbed your political serenity? A. No, sir.

Q. You don't get disturbed easily, do you? A. I try not to; no sir.

Q. An ordinary election row wouldn't cause you to feel badly? A. No, sir.

Q. You have seen enough of them not to have them disturb you? A. I am not politician enough to have them disturb me.

Q. And you have seen so many of them that they don't have any impression upon me? A. So many election rows?

Q. Yes? A. No, sir.

Q. Never saw one? A. I have.

Q. How many have you seen? A. When I was in Brooklyn I have seen several.

Q. Since you moved to the quiet, peaceable realm of Gravesend you never have seen any? A. No, sir.

Q. They do things down there in a very lamb-like way, don't they? A. They try to.

Q. And they usually succeed; there was no opposition, it all goes through like putting a pencil in a hole twice as big as the pencil? A. No, sir.

Q. Don't it go as smooth as that? A. No, sir.

The manner of questioning is objected to.

Q. It is a fact that, isn't it, that there is never any opposition down there? A. Yes, sir; there is.

Q. When did you ever hear of any? A. Last election.

Q. Was there some last election? A. Yes, sir.

Q. Do you know anything about it? A. Not personally; no, sir.

Q. It didn't amount to much, did it? A. Not according to the vote.

Q. You are not a politician? A. No, sir.

Q. Didn't you think it would be a little bit strange that you should be selected and so highly distinguished and honored by being made a watcher? A. I didn't consider it much of an honor, although doing a duty, I performed it.

Q. If you felt that anybody objected to your service you wouldn't serve? A. No, sir; if I thought they would object to my serving I would not.

Q. Do you read the newspapers? A. Seldom.

Q. Did you read them the day before election? A. No, sir.

Q. The day before that? A. No, sir.

Q. The day before that? A. No, sir.

Q. The day before that? A. No, sir.

Q. The day before that? A. No, sir.

Q. Hadn't read them for a week before? A. No, sir.

Q. When the political atmosphere is agitated you generally stop reading the papers? A. No, sir.

Q. Give us the reason why you stopped reading the papers? A. I very seldom read the newspapers.

Q. Why is that? A. Because I don't care much about the newspapers.

Q. Do you hear what is going on? A. Seldom.

Q. Did you hear there was some talk about the watchers who had been chosen to serve the Republican party in Gravesend being objected to by anybody? A. I did not.

Q. Hadn't heard of it? A. No, sir.

Q. Did you ever hear of it? A. I have afterwards.

Q. You didn't read about it? A. After the election, yes; I read about it, but previous to election I did not know the first iota about it.

Q. I ask you the question again; weren't you somewhat surprised to be appointed a watcher? A. Well, no.

Q. It didn't surprise you any? A. No, sir.

Q. Did you know Mr. Stratton? A. Yes, sir.

Q. Did you know Mr. McKane? A. Mr. John Y. McKane?

Q. Yes? A. Yes, sir.

Q. You had met him? A. I had.

Q You know him when you see him? A. I do.

Q. How long had you known him? A. Over sixteen years.

Q. Have you ever done any business with him or for him? A. Yes, sir.

Q. And what is the nature of your business? A. Working for him as a carpenter.

Q. How long since your interests with him ceased? A. In 1891.

Q. You have had nothing whatever to do with him or his interests since then? A. No, sir.

Q. Whom do you work for as a carpenter now? A. Different ones that I can get work for.

Q. Mr. Stratton? A. No, sir.

Q. Can you name some people that you work for? A. Jobbing around.

Q. The people have names, haven't they? A. Certainly.

Q. Can't you give us some? A. Sometimes John Y. McKane sends for me to do some little jobbing there, and I go and do it.

Q. And how recently has he sent for you to do some jobbing up there? A. Two weeks ago that Mr. McKane sent for me.

Q. You feel very friendly, of course, towards Mr. and Mrs. McKane?

Objected to as incompetent and immaterial. Objection overruled.

A. I do.

Q. And being their friend you would go a long ways to serve either of them ? A. I would.

Q. You know you were doing him a good service on election day by being a Republican watcher, didn't you ? A. No, sir; I did not.

Q. Didn't he tell you so ? A. No, sir.

Q. You have discovered it since, haven't you ? A. I have not.

Q. Then you haven't read the newspapers at all ? A. Very little.

Q. Can you tell us any of the papers that you have read ? A. No, sir.

Q. Can't name one ? A. No, sir.

Q. Have you read the Atlas ? A. No, sir.

Q. The Sioux Press ? A. No, sir.

Q. Have you read the Gravesend Blade ? A. No, sir.

Q. You voted in the fifth district ? A. No, sir; the fourth district.

Q. And you are perfectly familiar, of course, with the election law ? A. As a native-born citizen should be; yes, sir.

Q. You know that the law changes, of course, from time to time, according to the will of the Legislature; you know, of course, about the law affecting the registration of voters ? A. In regard to the Ballot Reform Law ?

Q. Yes, sir ? A. I am not thoroughly posted; I have never been a register or inspector.

Q. Do you know how many persons are allowed to register in one polling district ? A. No, sir.

Q. Then you don't know anything about the registration law, do you ? A. Not as far as that is concerned.

Q. Will you tell us something you do know, then ? A. I understand that when we are registered there we can vote in that district.

Q. Did you understand that when you registered you registered ? A. Yes, sir.

Q. And that when you voted you voted ? A. I did.

Q. You understand that much about it? A. Yes, sir.

Joseph Goodfellow, called in behalf of contestee, being duly sworn, testified as follows:

By Mr. Durack:

Q. Where do you reside? A. Coney Island.

Q. Are you acquainted with Mr. Friday? A. Yes, sir.

Q. Did you meet Mr. Friday some time prior to election day? A. I did.

Q. About how many times do you remember meeting Mr. Friday prior to election day? A. Three times.

Q. Was it at Gravesend you met him on all those occasions? A. No, sir.

Q. Where was it? A. Twice in Gravesend or Coney Island and once in Brooklyn.

Q. Then twice you saw him at Coney Island? A. Yes, sir.

Q. Did you have a conversation with Mr. Friday on those occasions that you met him? A. I did.

Q. Who was with Mr. Friday? A. I forgot the gentleman's name; he is sitting there (Mr. Murch).

Q. Did you talk with Mr. Friday about his candidacy for Assembly? A. I believe I talked with him; yes, sir.

Q. Mr. Friday was canvassing votes in the town, was he? A. He was down there.

Q. Did you say to Mr. Friday that you believed it would be difficult to obtain honest count in Gravesend? A. I did not.

Q. Did you say that to him in substance? A. No, sir.

Q. Do you remember meeting Mr. Friday on the fifth of November, the Sunday before election? A. I believe it was that date; I don't remember the date.

Q. Do you know who was present when you met Mr. Friday on that day? A. We had several calls together, three I believe.

Q. About how long a time were you with him? A. About an hour.

Q. Were you talking about his candidacy at that time? A. Not altogether that.

Q. You were introducing him to people, were you? A. I did; yes, sir.

Q. Did you state to Mr. Friday that you would openly support him if you dared? A. No, sir.

Q. Did you say anything like that in substance? A. No, sir.

Q. Did you say that you would never again receive work or that you could not reside in Gravesend if you supported Mr. Friday openly? A. No, sir.

Q. Did you say anything like that in substance? A. No, sir.

Q. How much of the time that you were with Mr. Friday was your wife present? A. None of the time.

Q. Not any part of the time? A. No, sir.

Q. Then it is not true that your wife said, in speaking of openly supporting Mr. Friday, that they would burn her house down? A. No, sir.

Q. Did she say anything like that, in substance? A. I don't know that she spoke to Mr. Friday in my presence.

Q. At no time did your wife speak with Mr. Friday in your presence? A. No, sir.

Q. Then it is not true that you were present and your wife stated that they would burn your house down for your supporting Mr. Friday? A. No, sir.

Q. State to the committee the conversation you did have with Mr. Friday, when Mr. Murch was present, as near as you can, the different occasions; on the first occasion that Mr. Friday went down there? A. I don't know as I can state them all; there wasn't much said; he came down and wanted me to introduce him to people down there.

Q. Just state, if you can, what he said to you, and what you said to him in response? A. He said he would like to have me support him.

Q. What did you say? A. I told him I would like to do it, but I was placed in peculiar circumstances and I didn't like to do it. McKane was a friend of mine, and without he sanctioned it I couldn't do it.

Q. Did you say anything about the politics of Mr. Friday? A. No, sir.

Q. Or the politics of Mr. McKane? A. No, sir.

Q. Did you say anything else on that occasion? A. That was about the sum and substance of it.

Q. Do you remember on the second occasion Mr. Friday went down there, Mr. Murch was present? A. Yes, sir; on the first and second occasion; he didn't get out of the wagon the second time; he just drove up to the door, and he asked me if I wanted anything, and I told him no.

Q. Do you remember what date that was, the second time? A. I don't remember the date.

Q. Was it on the fifth? A. It was on a Sunday, I believe.

Q. How long a time did you spend with him on that Sunday? A. Two or three minutes, probably; a few minutes.

Q. As far as you remember and know, you had no further conversation with Mr. Friday? A. Excepting at his office.

Q. Was Mr. Murch present then? A. No, sir.

Cross-examination by Mr. Elliott:

Q. And the same fear that prevented you from promising as a Republican to vote for a Republican operates on your mind this moment? A. I don't fear nothing.

Q. You couldn't vote for a friend without the sanction of the chief of police of Gravesend? A. I didn't say I couldn't vote for him without the sanction of Mr. McKane; if I said so I didn't mean it.

Q. Then will you tell the Committee the difference between supporting a man and voting for him? A. Yes; the difference is going and voting for him and going out and working for him—canvassing for him.

Q. Then you wouldn't dare canvass for him because Mr. McKane wouldn't permit you to? A. No, sir; I didn't say so.

Q. What is the fact about it? A. The fact is, Mr. McKane has always been a friend of mine; I have worked for Mr. McKane; he has done me a great many favors, and he is a friend of mine.

Q. Let me see if I can enumerate some of the favors that you did for him. Do you know George W. Morris of Sea Cliff? A. Yes, sir.

Q. How well do you know him? A. I have been acquainted with him quite some time.

Q. Your memory is pretty good? A. Nothing extra, it is fair.

Q. How about election matters? A. I don't pay much attention to election matters.

Q. How about conversations you have had about election matters? A. I didn't commit them to memory as I know of particularly.

Q. Do you know of Mr. Morris calling on you on one occasion?

Objected to as not material and calling for a conversation with some individual. Objection overruled.

A. I remember him visiting me, yes

Q. Just previous to the election, around the time when the registration and polling list wrangle was going on? A. I don't remember that.

Q. Will you say he didn't? A. No, sir; I will not.

Q. Not being able to say he didn't call I want to refresh your recollection about his calling; do you remember his calling and in the presence of yourself and your wife telling him that the registration books were under the bed in your house and that the register and inspector had gone away?

Objected to. Objection overruled.

A. No, sir.

Q. And since this investigation has been started, since the investigation into the alleged frauds in the town of Gravesend, haven't you begged and prayed of this man not to give you away? A. What man?

Q. The man I have spoken of, Mr. Morris, of Sea Cliff? A. No, sir.

Q. Do you remember any part of the conversation that you have had with Mr. Morris? A. No, sir, I do not.

Q. Not a syllable? A. Yes, a syllable.

Q. Give us what you recollect? A. I don't recollect any particular one.

Q. Never mind about a particular one, any one? A. No, sir.

Q. Can you remember any conversation you have had with him about the election? A. No, sir.

Q. About the registration previous to the election? A. No, sir.

Q. About the poll-list? A. No, sir.

Q. Do you want to have it understood that the poll-lists were not hidden under your bed in your house? A. Yes, sir; decidedly so.

Q. Haven't you said since that time that if it was told your house would be burned over your head? A. No, sir.

Q. Haven't you since you came in this room asked Mr. Friday not to have his counsel cross-examine you? A. I asked him as a favor.

Q. What did you do that for? A. Nothing in particular.

Q. Had no reason for it? A. No particular reason, only I didn't care to be fetched up in all these affairs.

Q If you had done nothing wrong was there anything to be afraid of? A. No, sir.

Q. Then why did you fear cross-examination from counsel? A. I didn't fear it.

Q. Then why did you ask to have it prevented? A. To save time; I want to get away.

Q. Do you mind telling us where you are going from here? A. Yes, sir.

Q. You do mind? A. No, sir.

Q. If your mind is a perfect blank about any conversation you have had with Mr. Morris I will leave that subject and ask you about election day; you remember last election day? A. Yes, sir.

Q. You voted? A. I did.

Q. Where? A. Gravesend.

Q. At what district? A. No. 3.

Q. Did you see Mr. John Y. McKane? A. I did.

Q. And did he tell you not to vote for Mr. Friday? A. He did not.

Q. Did he take you by the arm and send you home? A. No, sir.

Q. And have you told anybody so since? A. No, sir.

Q. Are you sure? A. Yes, sir.

Q. Didn't Mr. McKane tell you in the street that you must not support Mr. Friday; didn't he tell you so in distinct language? A. No, sir.

Q. You are a friend of Mr. McKane? A. Yes, sir.

Q. And you thought you would be acting in opposition to him if you supported Mr. Friday?

Objected to as to what he thought. Objection sustained.

Q. And you believed you would be acting in opposition to him if you supported Mr. Friday?

Objected to. Question withdrawn.

Q. Were you doing what you did in not supporting Mr. Friday, carrying out the express sanction of John Y. McKane? A. I believe I was.

Q. Tell us what Mr. McKane told you about it? A. I asked him to — I went to him on Mr. Friday's request and asked him if he would go to — I went to him and asked him on Mr. Friday's request—

Q. Will you look at me, please? A. I went to Mr. McKane at Mr. Friday's request, as near as I can recollect, and asked Mr. McKane if I could work for him on election day and help him out, and he said we would have to look after our own people first, and that settled it; that was all that was said.

Q. You are a Republican? A. I am, sir.

Q. Whose people then did he have reference to? A. The Democratic candidate, Mr. Graham.

Q. And he wouldn't allow you, a Republican, to support a Republican because he wanted you to look out for his friend's interest? A. He didn't object to my voting.

Q. But he wanted you to look out for Mr. Graham's interest? A. I supposed that was the meaning of it.

Q. And you have had some slight feeling of depression about being arrested, have you not? A. No, sir.

Q. Have you made any inquiry about the term of imprisonment for perjury? A. No, sir.

Q. You didn't make any inquiry? A. No, sir.

Q. You know Mr. Friday? A. Yes, sir.

Q. When did you ask him about how long a term a man would have for perjury? A. I never asked him that question.

Q. Your memory is good about that? A. Yes.

Q. Now I bring you back to your own house; to Mr. Murch and Mr. Friday and to your wife, and I now ask you the question whether in the presence of these persons, Mr. Friday having said to you that there was to be a fund of $2,000 raised to prosecute corruptions of the ballot in the town, and that you must look out and prevent any influence to be brought to bear upon you, and you told him then and there that if you dared to do anything publicly for Mr. Friday the very house in which you lived would

be burned over your head? A. I don't remember anything of that sort at all.

Q. When you say you don't remember any such conversation you want this committee to understand it never took place? A. I do.

Q. Nor any part of it? A. Not any part of it.

Q. Do you remember an occasion when Mr. Murch and Mr. Friday were at your house in the presence of your wife? A. My wife wasn't present at no time.

Q. Do you remember whether they were at your house without her being present? A. They were out in the lot from my house.

Q. But at your house? A. No, sir; they wasn't at my house none of the time.

Q. And your wife standing with you at the fence? A. I don't remember that she was.

Q. I have asked you the direct question, was she or not? A. I don't remember.

Q. What does that mean when you say you don't remember; are you trying to get your mind in condition so you can say it isn't so? A. No, sir.

Q. What do you mean? A. I don't remember that she was there at no time.

Q. Will you say to this committee that she wasn't there? A. In my presence, yes, sir; I will say she was not by me during any of the time.

Q. Why are you so certain of it when a few moments ago you couldn't remember? A. I am certain about it now.

Q. What makes you change your mind? A. I was thinking it over.

Q. You have thought of it considerably. A. I have since I have been sitting here.

Q. You thought of it when Mr. Durack was reading from the petition, about the house being burned down, didn't you? A. Never any such remark made at all.

Q. (Repeated.) A. I thought of it, yes, sir.

Q. Then why did you say, when I asked you the question, you dldn't remember, when you answered him positively that she was not there? A. I didn't remember she was there at the time.

Q. Then between the direct examination of Mr. Durack and the cross-examination of counsel for contestant your memory changed? A. It has changed in that, yes, sir.

Q. What has changed? A. The last is right.

Q. That you don't remember? A. I didn't say so; I remember that she was not there none of the time in my presence.

Q. You do remember, you don't remember, or you do remember, which is it? A. I don't remember.

Q. You do remember what? A. That she was not there.

Q. Then will you tell us the conversation that you had with Mr. Murch and Mr. Friday when they did call? A. There wasn't much of anything.

Q. Whether it was much or little, tell us? A. He asked me if I wanted any more pasters or anything and I told him no, I had enough.

Q. You didn't want any, did you? A. No, sir.

Q. Go on? A. That is about the sum and substance of it; I don't remember anything much.

Q. Anything said about the house? A. Nothing at all.

Q. Nothing said about the register books being under the bed? A. No, sir.

Q. Nothing said about John Y. McKane? A. Not a word that I recollect.

Q. You brought something out of your recollection by reflection a moment ago, try it again? A. I don't remember anything was said by McKane at all; I don't know as anything was said by him at all.

Q. Do you want this committee to understand that there was nothing said by him? A. Yes, sir.

Q. Then why do you change your mind now; a moment ago you didn't know? A. You asked me if I wanted them to understand it.

Q. Is it a fact that when I press a question upon you and you think it is to your interest to answer yes or no you do so? A. I don't know what you are getting at, I am sure.

Q. You can't answer the question, can you? A. I can when you put a question to me right.

Q. Is it a fact that when I press a question upon you and you think it is to your interest to answer yes or no you do so? A. I am just telling the truth in this matter.

The answer is objected to as not responsive and stricken out upon motion.

Q. Is it a fact that when I press a question upon you and you think it is to your interest to answer yes or no you do so? A. No, it is not a fact.

Q. Who do you work for? A. For myself; I carry on business for myself.

Q. What is your business? A. Carpenter.

Q. Whom do you work for? A. I can build my own houses, can't I?

Q. Do you have anybody work for you or do you work on contract? A. I do.

Q. Will you name some of the men you build houses for? A. Mr. Corson I am building a house for now down there.

Q. Anybody else? A. Yes, sir.

Q. Who? A. Mr. Fleischmann.

Q. Anybody else? A. Mr. Gotlieb and Mr. Herman Poppei, Mr. Ryan, Mr. Hamilton and several; I can't recollect them all; I have built a good many houses down here.

Q. Did you ever work for Mr. McKane? A. I have.

Q. Why did you leave his name out? A. I worked as a foreman when I worked for him; I am carrying on business for myself now.

Q. Who is Mr. Ryan? A. The school teacher, Michael P. Ryan.

Q. Did he have anything to do with election? A. I don't know; I heard he did.

Q. What did you hear he was? A. He was an inspector.

Q. Isn't that the Mr. Ryan that I asked you a few moments ago about, when I asked you if you had hid his books under your bed? A. I guess that is the man.

Q. Then why did you try and deceive this committee and say you didn't know whether he was an inspector or not? A. I said his books were not hidden under my bed.

Q. He is the man you did some building for, is he not? A. Yes, sir.

Q. How much building have you done for him? A. I built one house for him.

Q. And you and he are pretty good friends? A. Yes, sir.

Q. Had something to do with each other about election time? A. Nothing at all.

Q. Was he ever at your house? A. Yes, sir, he has been at my house.

Q. What does he come for? A. Generally stops in on the way to school or back.

Q. Was he in your house at the time this trouble was on about the registry lists or poll lists? A. I believe he was.

Q. The house that you live in is built on Mr. McKane's ground, is it not? A. No, sir.

Q. Where is it built, next door to it? A. No, sir; McKane hasn't got any property around there.

Q. Doesn't he own any property? A. No, sir, not around there.

Q. How many people live in your house? A. There is my family and one other boarder I have.

Q. How many houses have you? A. One.

Q. How many voted from your house on election day? A. Myself, that is all.

Q. How many registered as having voted? A. Only one registered there, and that is me.

Q. Do you know that as a matter of fact? A. From my house?

Q. Yes? A. Yes, sir.

Q. Didn't your boarder register? A. Not that I recollect; I don't remember anything about him at all whether he registered or not.

Q. You took no pains to inquire? A. No, sir.

Q. You were not interested in election at Gravesend, were you? A. I was not on this occasion; no, sir.

Q. Are you ever interested in any election at Gravesend? A. No, sir; not at all.

Adjourned for recess until 1.30 p. m.

Charles L. Feltman, recalled:

By Mr. Judge:

Q. You testified on the previous examination as to the time you voted; do you want to correct that testimony? A. I do.

Q. What do you say as to it now?

Mr. Elliott submits that before the question is answered he would like the privilege of asking a question.

By Mr. Elliott:

Q. Since you last testified in reference to the question that has just been asked you have you looked over the book to find out what your number is there? A. No, sir.

Q. Have you sought to secure information from anybody in reference to it? A. I asked Mr. Judge what my testimony was.

Q. No, no; I ask you this: Have you from any source whatever sought for information upon which you now desire to change your testimony? A. No, sir.

By Mr. Judge:

Q. Did Mr. Judge tell you —

Objected to as leading.

Q. What did I say to you in respect to it? A. After leaving the stand I went home and I thought that I must have made a mistake of some kind, and I saw Mr. Judge; I think it was Monday, and I asked him what my testimony was and he told me the time I said I had voted, and I told him I had made a mistake of some kind, and I wished to be recalled, and that is all the conversation I have had with anybody.

Q. What correction do you want to want to make? A. As to the time of my voting.

Q. Tell us all the circumstances and why you want to change your testimony? A. I left Brooklyn on the 6 o'clock train in the morning and went to Gravesend, and I arrived in Gravesend about fifteen or twenty minutes after 6, and was standing around with several friends until the polls opened, and quite a while after that I went into Heerlin's hotel and had my breakfast, and I must have been sitting there three-quarters of an hour, for this reason, I had ordered something and was waiting for it to be cooked, and I played two or three games of pool, and there was a flag over across the railroad track put up; and it was after that I voted, and I stayed there with some friends, but what time it was I can't say; I really can't see how I came to say I voted at that hour.

Q. Was it broad daylight? A. Yes, sir.

Q. Was the sun up? A. Yes, sir,

Q. That was not so when the polls were opened? A. It was dusk like.

Q. Can you tell about what time you voted? A. No, sir; I know it was after I had had my breakfast.

Q. About how long did it take you to have your breakfast? A. About three-quarters of an hour.

Q. How long was it after the polls were opened before you went to your breakfast? A. That I couldn't say; I didn't look at my watch; I never thought of the time, I was talking with friends.

Q. Was it after 8 o'clock when you voted? A. I should say that it was, after thinking the matter over, it must have been.

Q. You are giving your best memory? A. Yes.

Cross-examination by Mr. Elliott:

Q. Do you remember the number of your ballot? A. I saw it the other day in the ballot-book; I don't remember what it was though.

Q. You did look at the ballot-book and saw the number there? A. I might have looked at it; I don't remember; I don't think I did look at it.

Q. Don't you recall what it was? A. No, sir.

Q. Wasn't it 1,200 and something? A. I don't know.

Q. What has happened since you were last on the witness stand that caused you to think it was a serious error? A. My own conscience; conscientiously I thought it was a mistake.

John A. Cook, called on behalf of contestee, being duly sworn, testifies as follows:

By Mr. Judge:

Q. Where do you reside? A. Clarendon Hotel, Coney Island.

Q. How long have you resided there? A. Seven years.

Q. Is that in the second election district? A. It is.

Q. Did you vote in the second election district on election day? A. I did.

Q. Do you know whether that is a small or a large district? A. I know that it is a large district.

Q. That is, you mean large in population? A. Yes.

Q. And in territory and extent, it takes in all of the main streets? A. I believe it does, I couldn't say positively.

Q. When you voted on election day in the second district what was the condition of things; was the voting rapid; was there a crowd there? A. They were voting as fast as they could get in so far as I could see.

Q. Do you own any buildings in that district? A. I Do.

Q. How many? A. I own somewhere in the neighborhood of fifteen or sixteen buildings, but there as many more on my property that I do not own, I lease the ground.

Q. And how many people would they accommodate, how many rooms in them?

Objected to, that the question should be how many did they accommodate at that time.

Objection overruled, and objection withdrawn.

A. I should say that there was in the neighborhood of 200 rooms.

Q. How many people would they accommodate? A. Well, some of the rooms are double rooms; I should imagine they would accommodate 300 possibly, or more.

Q. Do you know whether or not people who have their residences at Gravesend are away from there in the winter time, and go down there on election day to vote? A. I know that a majority of the voters on my ground make it a point to make it their residence, generally.

Q. Was there a line when you voted? A. There was.

Q. About how many people would you think? A. Well, when I got on the line I suppose there might have been twenty to twenty-five people ahead of me.

Q. Do you know how many people were said to have voted in that district? A. Well, yes; I have read the papers.

Q. How many did you read about? A. One thousand five hundred and some odd.

Q. Do you think, in your opinion as a resident there, that that is disproportioned to the extent of the district and the population there? A. I should say not.

Q. Including those that come back to vote? A. I should imagine there were a great many more than that entitled to vote if they chose to do so.

Q. How many men do you employ in the summer time? A. I am not running the hotel myself and have not been for the past year, so I couldn't answer that question.

Q. How many are employed in the hotel? A. I should say there are, during the winter months, seven or eight employed in the hotel, in the hotel that I stay at.

Q. And in the summer how many? A. It varies, probably, from fifty to 100; you can't tell anything about it, it all depends upon the business.

Q. How many were employed in the hotel there and by you on election day? A. There was none employed by me at all.

Q. I mean by you and in the hotel? A. I answered that question before; to the best of my knowledge, there were seven or eight; that is my residence in the summer, I don't board there in the winter; the best part of the year I am there; I have a home also in Brooklyn.

Q. In the winter time you stay in Brooklyn? A. Some part of the time.

Q. Do you vote in Brooklyn? A. I vote in the town of Gravesend.

Q. You go down there to vote, do you? A. I do.

Q. Do you know whether or not a large number of buildings were erected in the second district in the last year or two? A. In the last year or two there was a great many erected to my own knowledge; there was eight or nine on my own property in the last year.

Q. Where is your property? A. It runs part of the way to the avenue; it runs from the ocean pretty near to the creek.

Q. You were around the town hall some little time on election day? A. I was there from about quarter-past 9 until half-past 4 in the afternoon.

Q. Did you see any fraud or intimidation? A. None whatever.

Q. Did you see any one hindered from voting, either Republican or Democrat? A. None at all.

Q. Or any violence to any person to prevent them from voting? A. No.

Q. And so far as your observation went the voting was honest and fair, was it? A. Undoubtedly, sir.

Cross-examined by Mr. Elliott:

Q. You reside in the twenty-second ward of Brooklyn, do you not? A. No, sir; I reside at the Clarendon Hotel, Coney Island.

Q. Where do you live in Brooklyn? A. Four hundred and forty-seven Fourteenth street a part of the time; that is the twenty-second ward.

Q. Then you live in the twenty-second ward? A. My family live in the twenty-second ward.

Q. You live with your family? A. Some part of the time.

Q. You are living there are you not? A. I am.

Q. And you have lived there how long? I have lived there now three years; my family has.

Q. And you say it is your habit to live in Brooklyn in the winter and go down and live in Gravesend in the summer? A. I live in Gravesend two-thirds of the year; that I call my home; that is my residence.

Q. You vote in Gravesend? A. I vote in Gravesend.

Q. Isn't that one of the conditions that Mr. McKane exacts of people who live in Gravesend — that they shall vote there? A. I never heard of it.

Q. Can you give the committee a reason why you discontinued living in Brooklyn and went down to Gravesend to vote? A. My reason is that my property is there; I am interested there, and not in Brooklyn; I own nothing in Brooklyn.

Q. You have lived the best part of your life in Brooklyn, have you not? A. I have, yes.

Q. You formerly owned the saloon under the Park theatre? A. I did.

Q. And previous to that up in Bedford avenue? A. No; Franklin avenue.

Q. And you have only been in Gravesend how long? A. Seven years.

Q. What are your politics? A. Well, I don't know as I have any politics; I have voted as often for Republicans as I have for Democrats.

Q. Do you mind telling how you voted last year?

Objected to. Objection overruled, the chairman stating that he may answer or not.

A. I have no objection to answering that question at all.

Q. I would like to have you tell me? A. I voted a straight Democratic ticket.

Q. And you voted in the second district? A. I did.

Q. Won't you kindly tell this committee, if you can, any house in the second district that contained any considerable number of voters who lived there on election day? A. I coulndn't answer that question.

Q. And you are as well acquainted in the town of Gravesend and in the second district as you are in any other part of the town of Gravesend? A. I am.

Q. And you own a great deal of property there? A. Yes.

Q. And you are vitally interested in the welfare of the town of Gravesend? A. I am.

Q. You say you believe that no fraud was committed there? A. I believe there was no fraud committed.

Q. You say also that you believe that a great many more persons were entitled to vote than did vote on election day? A. I do believe that.

Q. Kindly tell this committee on what you base that statement? A. On the fact that there are hundreds of men work through the summer months at Coney Island, and make it a point to stay there until after election.

Q. What do you mean by that? A. I mean simply just what I said.

Q. You mean that 1,500 people make it a point to stay four months in the second district so as to be able to vote on election day? A. I didn't say anything of the kind; I don't mean that.

Q. What do you mean? A. I mean there are a great many people who stay there until after election on purpose to save their franchise, for they live there a greater part of the season and call it their home; there is hundreds of young single men who make their living in the town of Gravesend, at Coney Island — waiters, bartenders and others; they make their living at Coney Island, and a great many of them make sufficient during the summer months to keep them the year round.

Q. And don't you know as a matter of fact that as a rule the same people are not employed there year by year, except in special instances? A. I don't know that.

Q. Do you know to the contrary? A. I do; I know a great many that are employed there year after year.

Q. Now commence and tell us any considerable number of people there that you know their names? A. I don't their names; excuse me, I have got a very bad memory on names.

Q. Give us the places then where they can be found? A. There is people that tend bar and do the waiting in the Clarendon Hotel.

Q. And how many will you say were there on election day? A. I know that I see them there, but I don't know their names; I couldn't say how many from the fact that I was not running the hotel at that time and I was not interested.

Q. Then you couldn't tell whether or not they were there on election day? A. They were there, but I don't know their names.

Q. Did you see 150 of them on election day? A. I did not; I never said I did.

Q. How many did you see? A. I said there were seven or eight employed around the Clarendon Hotel.

Q. Do you know any other place? A. Yes, I know a great number of places, but I don't know their names.

Q. Won't you kindly name a place? A. Take, for instance, Sutherland's Exchange, on the Bowery.

Q. What kind of a place is that? A. It is a billiard and bar-room, quite a large place.

Q. How near to the depot? A. It is about 300 feet from the railroad depot.

Q. Will you tell us how many people you saw there on election day? A. I wasn't in there on election day.

Q. Then you don't know whether there was any there or not? A. No, I do not.

Q. Tell us any other place you can name; we have gotten eight so far out of the 1,500? A. I didn't say there was 1,500, you said that.

Q. Then all that you formed your opinion on as to there being no fraud is that you saw none. A. That is right.

Q. You don't know anything about fraud, do you; you wouldn't know fraud if you saw it, would you? A. I think I should know a little something about it; as much as you might.

Q. You know more about buildings than you do about election polls? A. Yes, I do.

Q. You don't know anything about election machinery? A. I do not.

Q. And you don't take very much interest in politics? A. I never did.

Q. Now is it not a fact that that being so, that you go up and vote in Gravesend to please Mr. McKane? A. I don't go to please anybody; I go to please Mr. Cook; I am as good as Mr. McKane or Mr. Elliott; I don't owe nothing to Mr. KcKane or anybody living.

Q. But I still come back to the same question; I wan tyou to tell this committee on what you found your statement that there was no fraud in Gravesend, second district, last election? A. I never stated there was no fraud; I said I never see any fraud.

Q. Do you mean you closed your eyes when you came in contact with it? A. No, sir, I do not; I have got a very sharp eye.

Q. But you haven't a sharp eye for election frauds? A. I was not looking for election frauds.

Q. How long were you in the polling place in the Second district? A. I was in it just long enough to vote and came out.

Q. How long was that? A. About half a minute, I should judge.

Q. Was there anybody else there when you came in? A. They were continually going in and coming out.

Q. How many persons were in the polling place when you got there? A. I couldn't say.

Q. Was there a crowd? A. They were in line going in, and as they got in there was six booths and they would take their tickets and go in as rapidly as they could.

Q. Was there a crowd there when you got there? A. There was just as many there as could get along and do their business.

Q. There was a number in there seeking to vote? A. They were voting.

Q. How long did you have to wait when you got in there? A. Didn't have to wait at all, all I had to do was to go up and give my name and take my ballots, go in and fold them, and come out and vote, and go out and attend to my business.

Q. If there was a crowd there and a line and the booths were full you couldn't do that, could you? A. I don't see why you

couldn't. There is only one can go in the booth, and there are six booths for them to go in and fold their ballots.

Q. One door to each booth? A. Yes.

Q. How many persons were around the room which led into the polling-booths? A. I didn't take any look.

Q. You said there was a crowd? A. I didn't say there was a crowd, I said they were in line going in.

Q. How many people were there? A. I couldn't tell you; I told you there were possibly twenty to twenty-five people on the line.

Q. How long did it take you before the twenty-five that were in front of you got out of the way? A. I couldn't say; I couldn't form any idea.

Q. Ten minutes? A. I couldn't form any idea.

Q. You don't want this committee to understand that twenty-five voted in ten minutes? A. I couldn't form any idea.

Q. Can't you tell this committee whether you stood there a second or an hour and a half? A. I stood there more than a second; you know what it is to get in line; they were moving all the time.

Q. I am asking you because you know; I ask you to give your best judgment of how long it took you to get to the end of that twenty-five before you got where you could vote? A. I told you before that I couldn't estimate, from the fact that I wasn't thinking about it; you know as much about it as I do.

Q. Did it take you half an hour? A. It did not.

Q. Did it take you three-quarters of an hour? A. It did not.

Q. Did it take you twenty-five minutes? A. It did not.

Q. Did it take you twenty minutes? A. I don't believe it did.

Q. Twenty-five persons ahead of you and it didn't take you twenty minutes to vote? A. I don't think it did.

Q. Did it take you fifteen minutes? A. I don't believe it did.

Q. Did it take you ten minutes? A. I couldn't swear.

Q. Will you swear it took you less than that? A. I won't.

Q. Then it took at least ten minutes? A. I didn't say so; I told you I couldn't say.

Q. Do you wish the committee to understand that you don't know how long ten minutes is? A. I am not talking about how

long it is; you are trying to get me to say something that I don't intend to say and can't say.

Q. Will you swear that it took less than five minutes? A. If I couldn't swear that it took less than ten minutes, I certainly couldn't swear that it took less than five minutes.

Q. Will you swear that it took less than five minutes? A. I will not.

Q. Then we will say it took less than ten minutes? A. You can say anything you like; I am not saying it.

Q. How long did it take you to vote? A. I don't believe to the best of my recollection it took more than half a minute.

Q. Then would you say it was a fair or unfair statement to say it took you ten and one-half minutes in all from the time you got on the line? A. I think possibly it might have taken that, and might have taken less; and might have taken more.

Q. And it wouldn't be unfair to say it might have taken you fifteen minutes? A. I have got nothing to say about it at all.

Q. How long did you stay in there? A. I just told you I didn't think I was there more than half a minute.

Q. No, no; after you voted? A. Not any length of time at all; I came right out; I had no business there.

Q. Then where did you go? A. I stood around the town hall.

Q. Then as a matter of fact you couldn't tell? A. I see a line there all day, every time I looked that way there was a line of people on the line all day, every time I looked in that direction; of course I wasn't looking in that direction all the time.

Q. And you, of course, went from one place to another? A. I didn't go far away from the town hall; I went over to the hotel several times; I got my dinner there.

Q. You say you saw no disturbance? A. I saw no disturbance.

Q. Did you know that Colonel Bacon and others were driven away from the town hall? A. I heard of it after I got down there.

Q. What time did you get there? A. I testified I got there about quarter-past nine as near as I could judge.

Q. Did you see Mr. McKane there? A. I did.

Q. Did he vote at the same time you did? A. He did not, I don't know whether he voted at all or not.

Q. Where did you see him? A. I saw him a dozen times at a dozen different places.

Q. I return now to the question of population; from all you have said of the 1,500 people, you can only locate eight? A. I didn't say that.

Q. Can you locate any more? A. Oh, yes, sir; I suppose I know pretty near all the regular men that live down there all their lives.

Q. I haven't any doubt of it, and I want you to locate as many as you can? A. I don't see what good that is going to do you, that is only wasting your time and mine too.

Q. Won't you give us the best answer you can? A. In reference to what?

Q. To the number of persons that you know were in the town of Gravesend in the second district on last election day? A. No, I can't answer that question.

Q. You are willing to have it left in that shape are you? A. Why, certainly.

Mr. Durack.— All of our oral evidence is in except the testimony of Mr. Williams. Apart from that we want the privilege of putting into this evidence before this committee a certified copy of a vote held in Tioga county on the second of January of this year in which it is stated that 1,100 votes were cast in five hours. A necessary part of our case is also the ocular demonstration of the vote which the committee has consented to review next Monday. With that exception the case of the contestee is closed, with this reservation, that we ask the subcommittee to designate a time when we can appear before the whole committee and present our side of the case. And we also ask the committee now to fix a reasonable time to enable us to submit a brief.

REBUTTAL.

William H. Friday, recalled.

By Mr. Elliott:

Q. You heard the testimony of a gentleman by the name of Goodfellow this morning? A. I did, yes sir.

Q. In which he denied having a conversation with you in which reference was made to the sum of $2,000, or that he had

told you that John Y. McKane would not permit him to support you, or words to that effect. You heard him make that statement? A: Yes sir.

Q. Will you repeat the conversation you had with him and let the committee pass upon it? A. I simply stated to him that if he was in any way connected with anything that was not regular, I advised him to have nothing to do with it, from the fact that a fund had been raised at the Union League Club, and a corps of detectives would be present on election day, and advised him that if he had any thing whatever to do with any thing that did not bear the light of day, to have nothing to do with it, as he would get into trouble. He asked me what trouble he would get into, and I said there was many ways of getting into trouble, for instance, if he had anybody in his house that didn't belong there. His wife standing by said, what would they do? I replied they would arrest anybody participating in anything of the kind. He asked what would the consequences be, and I said they could get five years. And Mr. Goodfellow asked me what the penalty for perjury was, and I said he would be sent to states prison for five years. And he said, well, we are going to do all we can for you, but if it was known they would burn our house down. And his wife took it up and said, yes they would burn our house down. That was the conversation.

Q. What did he tell you, if anything, about the conversation he had with John Y. McKane on a railroad train?

Objected to as incompetent and immaterial, and on the further ground that it is sought now in rebuttal to impeach the testimony of Mr. Goodfellow as to the matter which was brought out by counsel for the contestant. Objection overruled. Exception taken.

A. I had a conversation with Mr. Goodfellow by which he had agreed to see Mr. McKane and solicit Mr. McKane's influence in my behalf, and he was then to come and let me know the result. He came to my office and stated that he had seen Mr. McKane on the train and had a long talk with him, Mr. McKane said he couldn't do anything, that they would have to stick to our own people, as he put it, and Mr. Goodfellow expressed a desire to do all he could for me, because, as he said, I

was a friend of his, and he said that Mr. McKane then alluded to $800 that was due Mr. Goodfellow and asked him if he had received it; and Mr. Goodfellow said he had not received this $800, and Mr. McKane then replied that if he hoped to get this $800 that he expected him to support the ticket as it was presented, and not support me. So Mr. Goodfellow told me that his interview with Mr. McKane was not satisfactory, and under such circumstances he could do nothing except what he did on the quiet, that he could not come out openly for me as he would like to do. So I gave up trying to do anything more in that direction until the fifth of November, when we had this conversation, and I warned Mr. Goodfellow against any fraud.

Mr. Judge moves to strike out the part of the answer just given which contains a conversation had with Mr. McKane. Motion denied. Exception taken.

A. (Continued). I think as I stated, on the fifth of November, I had the conversation in which I have already testified—

Q. What conversation was it to which you now allude, the second or the third? A. The third conversation.

Q. What is the next one? A. That is November 5th, in which I alluded to the threatened police interference and the danger of participating in any fraud, in which Mr. Goodfellow and Mrs. Goodfellow said their house would be burned down; I left Mr. Goodfellow that day, and as I stated in my previous testimony, went to Gravesend—

Same objection; same ruling and exception.

Q. Go on and tell any conversation that you haven't told. A. Several days after election Captain George W. Morris, who was my guest at my house, and stayed over night, with his wife, alluded to my going to Gravesend on November 5th, and stated that he heard—

Objected to; objection sustained.

Q. Have you told all of the conversation that you have had with Mr. Goodfellow upon which he was interrogated this morning by counsel for the contestee? A. As far as I remember I have; the only thing I remember was the testimony regarding the burning of the house, which Mr. Goodfellow denied.

Q. Now do you wish to rebut any other evidence which has been elicited from the stand from any other witness since you left

it? A. I wish to rebut the evidence of Mr. William Cox, and the evidence of Mr. Goodfellow.

Q. Go right on? A. I don't know as I could bring anything entirely new on the subject.

Q. Do you want to testify to any other thing in rebuttal, which means anything that you have not testified to in evidence that has come from other witnesses in opposition? A. None at all.

Charles H. Murch, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. Twenty-fifth ward, Brooklyn.

Q. How long have you lived in Brooklyn? A. About forty-four years.

Q. You are a married man? A. Yes, sir.

Q. Do you remember to have been present when a conversation took place between Mr. Friday, Mrs Goodfellow, and Mr. Goodfellow, in the town of Gravesend? A. I was with Mr. Friday each and every time he visited Gravesend.

Q. Do you remember to have been present with him in any of those conversations? A. Yes, sir.

Q. I want you to repeat the conversation as you heard it? A We drove up in a buggy, up close to Mr. Goodfellow's fence, a little picket fence about four feet high, he lives in the rear of that, another house, a little yellow Queen Ann. When Mr. Friday spoke to him in reference to the perjury matter, his wife and himself and a little girl stood in the doorway, and I sat in the wagon holding the horse close to the fence. Mr. Friday and him and her talked together, and Friday said to him, says he, "We were down to the Union League the other night, and they are going to raise a lot of money, some $3,000, to punish fraud": he said, "You know the hip and cry there is about the Gravesend vote"; says he, "Yes"; He says, says he, "What could they do with a fellow?"; "Well," he says, "if you commit perjury I think the least is five and the most is seven years"; and then he commenced to talk about his vote; he says, "Willie"—he called him Willie—says he, "Willie, as far as I am concerned and my family, you will get our vote, but," he says, "if John Y. McKane was to know for a minute that I sustained you," he says, "they

would burn the house over our heads"; and his wife repeated it; says she, "that is so"; then we jumped in our wagon and went away.

Q. Were you present when any other conversation took place? A. With him?

Q. Yes. A. Oh, yes; another time we went there and he took a stroll with us and said he would introduce us to some of his friends; we went in several hotels along there and he introduced Mr. Friday, and at the same time we had some lithographs of Mr. Friday, some bills and small cards; we gave him a lot of them; I gave him six lithographs; three, he said, wasn't enough and he would like to have six.

Objected to, that the lithographs are not conversation.

A. (Continued.) We were together about two hours or two hours and a half, and in one of the places that we went into there was quite a crowd of men, some of them playing pool and he introduced Mr. Friday to some of them, and shook hands with them; and he found out there were a great many Odd Fellows in there; [and they all knew Mr. Goodfellow and said that Mr. Goodfellow wasn't a member of their organization].

The part of the answer in brackets is objected to and stricken out.

Q. The Odd Goodfellows you needn't say anything about, but the one Goodfellow you went in with? A. Well, when we got in this place as I stated before, there was a good many men playing pool, and Willie said at the time, "I think we have struck a bonanza here, here is a lot of votes in here, and Goodfellow knows them all," and after they got in there and we were introduced around, Mr. Friday shook hands with them, and found out who they were, and then Mr. Friday asked some of them whether Mr. Goodfellow was one of them.

Objected to.

A. (Continued.) Mr. Goodfellow introduced him to all the people in there, and some of the people that Mr. Goodfellow introduced him to introduced us to other people; we were all introduced.

Q. Now what was further said by Mr. Goodfellow to Mr. Friday? A. Mr. Goodfellow said that McKane was a very near friend of his, he gave him that engine house to build there on the

avenue, and he didn't care about coming out, or didn't care about being seen in the company of the Republican candidate.

Q. Do you recall any other conversation? A. He said also that he would see the boss, as he called him; he would see the boss and tell him that Mr. Friday was a near friend of his, and if he hadn't any objections he would vote and work for Mr. Friday on election day; but if he said no, it was no use of talking.

Q. Did you see him after he had seen the boss? A. Yes.

Q. Did you hear that conversation? A. I didn't hear the majority of that; he merely said he had seen John Y. McKane, and McKane told him, Mr. Goodfellow: "We have got a candidate of our own."

Q. That is all you heard of that? A. Yes.

Q. Now is there any other conversation that took place between Mr. Goodfellow and Mr. Friday that you did hear? A. Well, every time we went there it was about the same thing, he was for Mr. Friday, and he would vote for him, and all his family would vote for him, but they would have to do it on the quiet.

Cross-examined by Mr. Judge:

Q. Are you a particular friend of Mr. Friday's? A. Yes. sir; very close friend.

Q. Were you very much interested in his election? A. Yes, sir; I would like to see him elected and every man on my ticket; I was a friend to every man on my ticket.

Q. What was your ticket? A. Republican, straigh, every time.

Q. Where did you start in Brooklyn that day? A. We started from Mr. Friday's office with a horse and wagon, the same as we did every day.

Q. Did you go through the twenty-fifth ward and all the rest of the districts? A. Well, we went enough to satisfy us; we didn't annoy our good friends, but we had to go down to Gravesend to try and make friends.

Q. Did you go into any saloons in going through the twenty-fourth and twenty-fifth wards? A. Very few; one or two in the twenty.fifth ward.

Q. Then the first place you went when you went to Gravesend was Mr. Goodfellow's house? A. Oh, we stopped on the road,

drove down and took in the dives and then came down to Mr. Goodfellow's.

Q. Tell us one dive? A. We took in the whole Bowery.

Q. Tell us one place? A. All of them from where the Bowery commences down to the West End, we took them in both sides of the way.

Q. Tell us one? A. The whole of them, I cant tell you one, we took them all in.

Q. You were in them all? A. I wasn't in them all, we walked up and down the street and seen them locked up with iron padlocks and a watchman there to take care of them.

Q. You were not in any of them? A. One only. One little ten-foot dive was open, and he agreed to vote for us, but on the quiet.

Q. Was there any one else present when you drove up to Mr. Goodfellow's place? A. We called at Mr Goodfellow's house —

Q. Was there any one else present? A. I want to get at it and tell you in my way, and I will tell you how many was there.

Q. (Repeated). A. On which time?

Q. The first time? A. There was nobody there, but a little girl came out to tell us that Mr. Goodfellow was at the church.

Q. The second time? A. Mr. Goodfellow wasn't home, but his wife came out and said he wasn't home.

Q. Then it was the third time you saw Mr. Goodfellow? A. Yes, the lady and he came out together.

Q. Was there anyone else except Mr. Goodfellow and his wife and the little girl present? A. Only the little girl, that is all.

Q. Was it the third time you went to the saloon with Mr. Goodfellow? A. No, it was the last time, on the fifth of November.

Q. On the third time after you left Mr. Goodfellow did you come back to Brooklyn? A. We went to Sheepshead Bay and all around the hotels, hung up our lithographs and circulated our circulars.

The answer is objected to and stricken out upon motion.

Q. On the fourth visit did you see Mr. Goodfellow? A. Yes, sir, we saw him, and he came out and had a little talk with us.

Q. Didn't go to the saloon that time? A. I don't think it was that time; I think it was the fifth when we went to the saloon; I think it was on the fourth he came out to the gate.

Q. I ask you if you saw him the fourth time? A. Yes.

Q. How long have you lived in the twenty-fifth ward? A. About forty-four years.

Q. Have you lived there all the time you have lived in Brooklyn? A. Oh, no; I lived in the old ninth.

Q. Were you ever convicted of a crime? A. That is none of your business.

Q. Were you ever convicted of a crime? A. Yes, I was arrested.

Q. I didn't ask you were you arrested; I asked you were you convicted? A. Yes, sir.

Q. In what court? A. I think it was in — well, it was so many years ago; I know it was in this building; I know it was before Judge Dykman.

Q. What was your sentence? A. It was the lowest on record; I was a boy and pleaded guilty to the charge, which I had no business to do, and they kept me here in the city of Brooklyn racing after Governor Seymour to get him to sign my pardon. We couldn't reach him in Albany, but as soon as he got to Albany he signed my pardon.

Answer objected to and stricken out upon motion.

Q. What was the crime for which you were convicted, the name of it? A. Bigamy; I have been arrested for getting on a tight; yes, I have been arrested for that.

Q. Have you since that time been convicted of any crime? A. Being tight.

Q. Have you ever been convicted for anything except intoxication since the first conviction? A. No, I guess not; I don't know.

Q. Will you swear that it isn't so? A. I won't swear that it isn't so.

Q. Were you convicted in 1885 for assault in the second degree? A. I won't say certain.

Q. Or the third degree, where you got twenty-nine days? A. I don't recollect.

Q. Were you convicted of any crime in 1888? A. I guess not.

Q. Are you sure about it A. I am not sure about it.

Q. Do you mean to say to this committee that you could be convicted of a crime— A. No matter how many times I have been arrested; I have been doing business thirty years in this county, and all your testimony won't count for a cent.

Q. Do you mean to say that you could have been convicted of a crime in 1888, and that you would be unable to remember it, or that you are unable to remember it? A. I don't remember it.

Q. And not being able to remember that, you are able to remember distinctly what happened at those visits to Mr. Goodfellow's, are you? A. I can recollect that; that is later. (Everybody in the land can recollect that Gravesend matter this year.)

The part of the answer is objected to and stricken out upon motion.

Q. Do you call 1888 a remote period? A. That is a long while ago; I told you all I have got to say to you.

Redirect examination by Mr. Elliott:

Q. You never were convicted of dishonesty? A. No, sir.

Q. You never were convicted of perjury? A. No, sir.

Q. And the only things for which you have ever been convicted was when you were a young man of 14 or 15 years old? A. And I have received my punishment.

Q. Thirty-nine years ago you were arrested for bigamy and pleaded guilty to it? A. Yes, sir; and was pardoned by Horatio Seymour.

Q. Now since that time, when you were in a convivial way, you were arrested for intoxication? A. Yes, sir.

Q. And is that the extent of all your arrests? A. That is about all.

Q. You are not now a drinking man, are you? A. No, sir; I am off now.

Q. Do you desire at this time to make before the committee any other explanation of the manner in which you were arrested and the reasons for it; you may now do so if you desire? A. I used to drink liquor; I have been all through the Rebellion; I have held all kinds of positions; I was shot through the head, and if I take a little liquor it affects my head, and when I was in my cups I would get out of my head.

Objected to; objection overruled; exception taken.

Q. Go right on. A. I used to be a drinking man and a very little would upset me, and when I was in liquor I never knew myself, which everybody can testify to in this county; I would go against my best friend when in liquor; but I defy any living man or woman to come here in this court or any court and say I ever committed a wrong act in my sober senses.

By Mr. Judge:

Q. Did Mr. Friday treat the crowd that day? A. Of course; that was business.

Adjourned to January 29, 1894, at 11 a. m.

IN THE MATTER OF THE ELECTION OF MEMBER OF ASSEMBLY FOR THE SIXTEENTH ASSEMBLY DISTRICT, OF KINGS COUNTY, NEW YORK, WILLIAM H. FRIDAY, CONTESTANT, AGAINST JAMES GRAHAM, CONTESTEE.

GRAV. SEND, *January* 22, 1894.

The Assembly committee met at the town hall to witness a test ballot.

The polls were opened at 11.30 a. m. and closed at 12 o'clock. One hundred and thirty-four votes were cast in thirty minutes.

Twelve men voted in two sets of six each. A set of blank ballots was issued to each of the six men who came first, whose names were called and checked by the registry clerk in a blank register, and the poll clerk recorded their names. While this first six were in the booths a set of blank ballots was issued to each of six other men and checked and recorded in the same way. As soon as the second set of ballots were issued the first set of six men, who by this time had folded their ballots and left the booths, were allowed to vote and passed out of the room and returned again and were waiting to receive new ballots while the second set occupied the booths. These two sets of men thus systematically changed places during the thirty minutes.

(Senator Mullin to Inspector Ryan).—Is this the same board that you had here on election day?

Mr. Ryan.— The very same, sir, with the exception of one of the poll clerks and one of the ballot clerks, both of whom are sick in bed and have been for some weeks.

Senator Mullin.— And the other poll clerk is the same?

Mr. Ryan.— Yes, sir; and the other ballot clerk and the three inspectors.

Mr. Keck.— How many inspectors have you here now?

Mr. Ryan.— Three.

Mr. Keck.— How many clerks have you here now?

Mr. Ryan.— One poll clerk and one ballot clerk who acted here last November.

Senator McCarren.— The same clerks have acted here three years.

Mr. Keck.— How many constitute this board as it is now?

Mr. Ryan.— Seven; two poll clerks, two ballot clerks, and three inspectors. And, as I said, there is one poll clerk, William J. Smith; and one ballot clerk, Henry Welty, who are sick, and the gentlemen who have taken their places have acted in one of the other districts.

Senator Brown.— Is this the same polling place, identical in every way?

Mr. Ryan.— Identically the same, with the exception of the space for the press; the same number of booths and the same number of ballot boxes.

Senator Brown.— Did you have a rail up to separate those who come in from those who go out?

Mr. Ryan,— Just as you see here.

Mr. Keck.— Were there two doors on election day?

Mr. Ryan.— Just as it is now.

Mr. Keck.— Were they both used on election day?

Mr. Ryan.— Yes; except we had an officer to stay in the room to see that people went in and out.

Senator Pound.— Were there any challengers inside the polling place?

Mr. Ryan.— Not that I know; except the Republican and Democratic watchers.

Senator Pound.— And they were inside the rail?

Mr. Ryan.— They were inside, sometimes two and sometimes four; they were in and out all day.

Senator Mullin.— Did the same poll clerk act through to the end?

Mr. Ryan.— Yes, sir.

Senator Pound.— You remained here all day long without leaving the place at all?

Mr. Ryan.— The inspectors stayed here; I know I stayed here all day; I forgot whether one of them went to dinner, but the other stayed here all day. And the poll clerks stayed here all day, if I remember rightly.

Senator Pound.— Until the canvass was completed?

Mr. Ryan.— Yes, until the canvass was completed; and I had my supper here.

Senator Pound.— About what time was the canvass completed?

Mr. Ryan.— It was somewhat late; I didn't get home until 5 o'clock next morning.

Mr. Keck.— Did the poll clerks stop for lunch?

Mr. Ryan.— No, sir; none of them. We went along all day about as you saw us here; but possibly a little more rapidly at one time or another.

Mr. Keck.— Did you have any rows?

Mr. Ryan.— No, sir; no interruption; went along all day long.

Mr. Harrigan.— Did you have any intermission?

Mr. Ryan.— There was never a time when we were idle; there was no time when he had to stand here and wait for people to come in.

Mr. Elliott.— I desire to make a request on behalf of Mr. Friday, to the Assembly committee. It has been said that this test is made at the request of Senator McCarty, and I have a request to make to these same officers in behalf of Mr. Friday, and that is that he will furnish them a list of two hundred names, with the ballots, and they can use the same names.

Mr. Durack.— There was admitted in evidence in our proceedings the testimony of two members of the Union League Club, wherein they testified that they had a test at which none of us were present, and that was admitted in evidence. We have

brought your committee down here for the purpose of showing a test.

Senator Mullin.— It is admitted that you repeated the same men in your voting to-day ?

Mr. Ryan.— They were about the same.

Mr. Gould.— Weren't they divided really into sets of six, two sets of six, six to occupy the booths, and the same number to wait for their ballots ?

Mr. Ryan.— Yes, and that was the same arrangement we had on election day.

Mr. Harrigan.— Do you mean to state that you had a previous arrangement that they should come in in blocks of twelve ?

Mr. Ryan.— We did not.

Mr. Durack.— I now offer Mr. Ryan to be sworn, for the purpose of any questions that might be asked by Mr. Elliott or anybody else.

Deterling, testified as follows:

By Mr. Kiendl:

Q. Have you made a comparison of the registry list with the poll-list of the second district of the town of Gravesend? A. I have.

Q. How many names have you found on the poll-list that are not on the registry list? A. I have found sixty-one names that appear upon the poll-list and not upon the registry list.

Q. Have you the list of those names? A. I have.

The list is produced and offered in evidence by Mr. Kiendl, and it is marked as an exhibit, before the Senate committee.

Q. Have you found any difference between the returns of them in the town of Gravesend and the poll-list in regard to the number of votes cast? A. I have; I have counted the names upon the poll-list, and there are 1,500 names on the poll-list.

Q. And the vote, as returned, is how many? A. As canvassed, 1,512 names in the second district of the town.

Cross-examined by Mr. Durack, on behalf of the Assembly committee:

Q. Bohlmer, Ezekiel, is that one of the names? A. Yes.

Q. Where did you find that? A. On the poll-list, but not on the registry-list.

Q. Did you find any name similar to that on the registry-list? A. No, sir.

Q. Did you find any Ezekiel on the registry-list? A. No, sir.

Q. You are quite positive of that? A. Quite positive.

Q. Did you find a man named Bahlmer on the list? A. No.

Q. Charles Brushman; is he on the poll-list and not on the registry-list? A. He is.

Q. How many B's are on the poll-list? A. I can refer to memorandum.

Q. Refer, if you please; did you find that a man named Bushman had a name on the registry-list? A. I forget; I can't answer that question.

Q. Do you know whether there is a Charles Bushman on the registry-list or not? A. I do not.

Q. You won't swear that Charles Bushman was not registered there? A. No, sir.

Q. Will you swear, now, that Charles Bushman did not vote besides having his name on the poll-list? A. No; I can't swear to that.

Q. You swear now that there is no man named Davis on the registery there; J. D.? A. Not J. D.; no.

Q. Will you swear there was no J. Davis on the registry-list? A. I will not.

Q. Is all the information you have testified to on this list the same as you have given us now; is all the information that you have concerning this list of names you have put in of the same character as the answer you have given to my question now?

Objected to by Mr. Elliott.

A. I can't answer it.

Q. I find a name here, C. F. McKrea; do you recall that with any distinctness? A. Yes; I remember the name.

Q. Were the registry-lists and poll-lists written by the same person? A. It appears not, by the handwriting.

Q. It is possible, on that account, that a name written by one man, and the same name written by another, would be different, wouldn't it? A. There might be an error.

Q. Will you swear positively there is no Frank Savare on the registry-list? A. Yes.

Q. Will you swear positively that there is no name on the registry-list, Savaro? A. I will not.

Mr. Kiendl states that he will offer a comparison of the poll-list with the registry-list of the other districts in the town.

Mr. Durack objects to the reception of the paper offered by Mr. Kiendl by the Assembly committee.

Michael P. Ryan, called on behalf of contestee, being duly sworn, testifies as follows:

By Mr. Durack:

Q. Where do you reside? A. Henry street, Coney Island.

Q. You were an inspector in the second election district on the seventh of November last? A. Yes, sir.

Q. What are your politics? A. I am a Democrat.

Q. What time did you get to the polls in the morning? A. Between 5 and half-past 5.

Q. When the polls opened, what position were you in; were all the officers of election in the same relative position as they were to-day? A. Yes, sir.

Q. You were present while all of the votes was being cast from the time the polls opened until they closed? A. I was.

Q. Did you leave the room any part of the time? A. No, sir.

Q. Did any of the other parties leave the room any part of the time? A. Yes; some did for a minute or so.

Q. There were two Republican watchers in the room? A. There were.

Q. And two Democratic watchers? A. Yes, sir.

Q. Did you see 1,512 votes cast on the seventh day of November last? A. I did.

Q. Were you present when the vote was canvassed in the evening? A. I was.

Q. You saw them all counted? A. I did.

Q. Did you handle any of these ballots yourself? A. I did, every one.

Q. Do you remember now how many were cast for Mr. Graham? A. I think 1,502.

Q. And for Mr. Friday? A. I think ten was the number.

Q Please state to the committee what you saw respecting the number of people that were in the room at any one time and the manner in which the vote was conducted? A. Well, from the time we opened until we closed there were always some voters coming in, we didn't have a complete cessation of voting at any time; in the morning for possibly the first three hours we voted more rapidly than at any other time of the day; possibly there was an hour, afternoon between 1 and 2 o'clock, when there was another rush of voters, or we had to vote very quickly; but all day long the voters were coming in.

Q. Did you vote at any time in the day any greater number than was voted to-day, 134 in thirty minutes? A. I think we did.

Q. Did you see any ballots cast in bulk in the election-box? A. No, sir.

Q. Were you present when the wrappers were torn from the tickets? A. I tore them off myself.

Q. Was the Republican inspector present at that time? A. Yes, sir.

Q. Do you know whether the Republican watcher was present at that time? A. I do; they were both present.

Q. You heard a gentleman say here to-day, one of the witnesses, that the name of Charles Brushman was on the poll-list and not on the registry-list? A. Yes, sir.

Q. Did you ever look over the registry-list yourself? A. Yes, sir.

Q. Did you look over the poll-list? A. I did.

Q. Did you, on the seventh of November, vote any man's named Charles Brushman? A. No, sir.

Q. What is the nearest name? A. Charles Bushman.

Q. Is such a man as that in the town? A. Yes.

Q. Did he vote on that day? A. Yes, sir.

Q. In any part of the list is there such a name as Charles Brushman? A. No, sir.

Q. Did you call the name out? A. Yes, sir.

Q. You called the name Sarare? A. Yes, sir; Savari is the proper way, but they generally spell it Savarre.

Q. Did he vote on election day? A. He did.

Q. Who was the registry board? A. I was one of them.

Q. Did you know the name Savarre? A. I did.

Q. Do you want this committee to understand that this name is on the registry list and on the poll-list? A. I do.

Q. Notwithstanding the evidence, the gentleman gave here to-day? A. Notwithstanding the evidence the gentleman gave here to-day.

By Mr. Elliott:

Q. What position do you now hold in the town? A. Principal of the public school.

Q. And how long have you been such principal? A. Fourteen years.

Q. You knew the name of every person and their address who voted here to-day? A. Yes, sir; I did.

Q. And you know that it was a blank ballot? A. Yes, sir.

Q. And on election day the ballots that you then voted were not blank ballots? A. They were not.

Q. Do you want the committee to understand that there was not a single scratch on any of the ballots from the top to the bottom? A. I do not, sir; there were some scratches, but very few.

Q. Do you want the committee to understand that there was not a single straight Republican vote cast? A. That I couldn't say now, but the returns with the county clerk will tell that.

Q. Do you now know and can you now swear, that there was or not a straight Republican ballot voted? A. The best of my opinion is that there was, but I wont swear to either way, but it is my opinion that there were several.

Q. Is it or not the fact that with the practical knowledge that you seem to have of the entire election machinery, that you can't tell whether there was one straight Republican vote cast? A. Oh, yes; there was more than one; I thought you were talking about scratched ballots; there were one or two straight Republican votes cast that I know.

Q. Was there any more than that number in the entire 1,500 votes? A. I don't think so; not straight; there may have been one more or so; but I think there were about two.

Q. And you want this committee to understand that, do you not, that you were here from what time in the morning? A. I left home at half-past 4, or twenty minutes to 5, and got here possibly in twenty or twenty-five minutes.

Q. What time will you say you were here? A. Between 5 and half-past.

Q. And you never left until 5 o'clock the next morning? A. Do you mean leave the booth?

Q. I mean just what I say? A. I don't understand the question.

Q. You said you arrived here at a certain time, and you said you didn't leave here until 5 o'clock the next morning? A. I don't understand what you mean.

Q. You said that you left your home at what time? A. Possibly twenty minutes to 5.

Q. What time did you arrive here at the town ha... A. Between 5 and half-past.

Q. Did you stay until 5 o'clock the next morning? A. I stayed in the town; I stayed around this polling place; if you ask me if I stayed in this booth until that time I can answer it.

Q. I will ask you, then; did you stay in the booth? A. I did not.

Q. Then you don't know how the voting was carried on when you left? A. I do know how it was carried on all the time.

Q. How do you know? A. Because I never left except to go to the door for a minute.

Q. That you want the committee to understand that with the exception of going to the door for a minute, you were here from 5 o'clock in he morning to 5 o'clock the next morning? A. I do.

Q. How did you get your meals? A. I had my breakfast before I left home, and I had my supper right in the booth.

Q. Did you, yourself, canvass the vote at night? A. I did, sir.

Q. Did you know the names of the 1,500 people who voted? A. I didn't know all the names of the people.

Q. This is the second district? A. Yes, sir.

Q. Do you want this committee to understand that the 1,500 people who voted live now in district No. 1? A. I do not.

Q. They didn't vote out of the district? A. They did not.

Q. I asked you if they lived in the district in which they voted, and do they live here now? A. They do not.

Q. Did they live here on election day? A. They did.

Q. How do you know? A. Because I know from the canvass that was made, and I know from the registration, and I know the people who come to vote, and I could recognize the people who come to vote, a great many of them.

Q. The whole 1,500? A. A great majority of them.

Q. Will you tell this committee where any considerable number of them live? A. I can tell you where all the permanent residents live, every one of them.

Q. Give me the names of any of them; can you name any house or hotel, where any considerable number of the people who voted on the seventh day of last November lived? A. Oh, several; I will begin on Surf avenue; the majority live at Surf avenue and the Bowery, in the hotels; Seabeach Palace, for one.

Q. Was that open at that time? A. No; it was not open at that time.

Q. Then, they didn't live there? A. It was open, so far as their living there was concerned; but if you mean open, so far as having its show is concerned, I would say no.

Q. What do you mean? A. Because they stopped there.

Q. What do you mean? A. They lived there; they stayed there; they worked there every summer and still remained.

Q. Do you mean they stayed there, ate there? A. I do, sir; that is where they slept; I don't know where they ate.

Q. You mean they congregated there on election day? A. I do not; I mean they occupied that as their residence since summer; they stayed there until election day; possibly some of them worked in the city and came back there; I know this; I don't speak from guess-work; I know it.

Q. Do you want to be understood as saying that any considerable number of these voters lived in the Seabeach Palace from last summer up to election day? A. I do.

Q. How many of them in number? A. I couldn't tell you now; I would have to go and look at the registry list.

Q. Can you approximately form some idea? A. Possibly a hundred or more.

Q. Do you mean one or two hundred? A. No; I would say in the neighborhood of a hundred, may be more and may be less, may be 125 and may be seventy-five.

Q. Would it exceed 125? A. I don't think so.

Q. Can you name any other place? A. Stratton and Henderson.

Q. Mr. Stratton was one of the Republican watchers, was he not? A. No; he was not.

Q. You don't have reference to Anson Stratton? A. I do; he was not the Republican watcher; Gilbert Stratton was the Republican watcher.

Q. His son? A. His son; yes.

Q. How many were there that you know of? A. There must have been in the neighborhood of a hundred that registered from there, and whether they all voted or not I couldn't say.

Q. How many days previous to election did you see any considerable number of them there? A. I saw them there all the time; I didn't go around to any of the hotels, but I used to see them there Sundays when I would go down to the beach, and met them there frequently.

Q. Do you know any other places? A. The Clarendon Hotel.

Q. How many were there there? A. Possibly twenty-five or thirty.

Q. Can you name any other place? A. Yes, sir; only guesswork; I say possibly about twenty-five or thirty; and there was the new Oceanic; I couldn't say how many were there.

Q. About how many? A. A dozen or more.

Q. Would it exceed fifteen? A. It might.

Q. Would it exceed twenty-five? A. I don't think so.

Q. What other place? A. Stubenbord and Sutherland's.

Q. How many were at Stubenbord's? A. Possibly ten or twelve; there may have been more there, but I am talking of help.

Q. What would be the limit of number? A. I won't make any limit; I say ten or twelve.

Q. It wouldn't exceed fifteen? A. It might, but I say there ought to be ten or twelve there.

Q. How about Sutherland's? A. In his employ possibly between twenty and forty.

Q. Take the limit at forty; any other place? A. Oh, yes; several hotels down there along the line, but I can't think of them now.

Q. You have lived here for fourteen years? A. Yes, sir; I am talking about the people I saw and can think of; I can't just think of the hotels now.

Q. You were one of the registry clerks in this second district; you took down the names of all these people? A. I did; yes.

Q. You know where they live? A. If I had the registry list I would identify them, a great majority of them.

Q. Can you not identify them in part? A. No; I couldn't do so now in all the hotels.

Q. Then have you exhausted your memory in naming all the hotels that you can name, of persons who claim to have a residence here, and voted on election day? A. No, sir; I suppose there might be thirty or forty from Stauche's or more, and there are hotels all along the Bowery.

Q. Well, exhaust your memory? A. That is all.

Q. That is so far as names go? A. Just at the present time; yes.

Q. You have named every hotel and the approximate number, both the maximum and the minimum? A. All I can remember now.

Q. Do you know how many that makes? A. I didn't count.

Q. If it exceeds 500, then the other thousand came from some other place? A. Certainly.

Q. Can you give us some idea where they came from? A. They came from the new buildings, and I couldn't enumerate them.

Q. If you can't enumerate them and don't know the names of the places, how can you tell they came from there? A. Because I had the registry list and their names are on there.

Q. If you can't name the hotels, how can you say they are on the registry lists? A. I don't pay any attention to the names of

the hotels, nor to anything about new people coming, except on registration days.

Q. Don't you come here for the purpose of giving knowledge of the number of voters that registered and voted on election day? A. I have given all the people now that I can remember where they live, or those whom I claim don't live on the island now.

Q. Then if you have given approximately a list of 500 names, the other thousand you think came from there? A. Not the whole thousand, because I could give you houses, names of families who live down there — all the way down.

Q. How many more? A. Five hundred more.

Q. You can remember them all? A. Yes; I think so; pretty near it.

Q. Won't you commence? A. I begin with S. S. Williamson, Gravesend avenue; then come down to the Lane family; Garrett B. Lane; I think there are seven men in all.

Q. They all gave their addresses? A. I am talking about the people I know; I won't say that all these people registered.

Q. I am asking you if all the people who did vote gave their addresses and residences? A. Certainly.

Q. The street number, if there was one, lane or avenue? A. Yes, sir.

Q. And they didn't do that to-day? A. It isn't necessary on the poll-lists in the country towns.

Q. You didn't do that on election day? A. No, sir; it isn't necessary on the poll-list to identify where the people come from.

Q. How do you identify the person who votes? A. If we don't know the man's face when he comes in, we ask him for his residence, that is just for the inspector to check off from the registry-list, if a man comes in whose face we don't know.

Q. Now go on? A. William Finnigan, Joseph Perry, W. P. Ryan, Harry Ferris, William Ferris, John Dean, George Dean, Harry Sturtevant; now, I may say that Mr. Sturtevant has, I think, 120 employes; he is a neighbor of mine.

Q. Did you mention his name before among the hotels you spoke of? A. He has no hotel; he is a contractor.

Q. Were they Italians? A. No, sir; some were and some were not; the biggest part are Irishmen.

Q. What kind of a contractor is he? A. He is a plumber; he is building an electric-light plant; then there is John Dix or Samuel Dix, I forget, and two sons-in-law, or two men, one is a son-in-law and the the other is a brother, I guess; Joseph Conrad, Joseph Moran, Samuel Smith, Morris Smith, Michael F. Murphy, Joseph Squires, Frank Yargo, and his nephew, Adam something, Bauer, I think; Frank P. Gallagher and possibly 200 or 250 employes of his who work for him and live down there; he has them employed in laying water mains on the island; then there is Michael Sacherty, Gus Cohen, Jr., James Palemer, John Palemer, Robert Buchhart and his four sons; James F. Conroy, Charles Overton and his workingmen, Kenneth F. Sutherland, George Kleist, John Durant, Mr. Kelly, I forget his first name, John Flynn or William Flynn; Conifrey Felix; John and James; there is a block of flats there, possibly thirty flats, and they are all occupied permanently; George Fredericks, Philip Andre, Charles Ox, Theodore Storms, Carl Oberlind, and he has either two or three sons, Dr. Hill and one or two employes; William Mehie and his employes, possibly six or seven bakers — I don't know exactly how many, but I know he has more than three bakers and drivers; Conrad Stubenbord, father and son; Murray Keene, P. H. McCann; Murray Keene has one or two men working in his butcher-shop; and McCann, he has a bartender, and two others living in his place; John J. Flynn, George Lawrence, and three other men who live there, one of them is his nephew; Eddy Kuhn, Theodore Kernow, Andrew Halser, and his bookkeeper and about six drivers; James Gilkison, and possibly eighteen employes, drivers and stablemen; Ignatz Fleischman, he has possibly about ten permanent workmen, bakers, etc.; Valentine Bauserwein, William Von Fricken, Jim Bass and two others in his house, one is his nephew; Paul Schultz, John H. Stillwell and another gentleman lives in the house; I don't remember his name; he is an old man; Henry Welty, Pat Hays; in Welty's there are possibly fifteen people living at the present time who always live there, stablemen and yardmen, etc.; Lindermann and Greene, bartender and the cook; A. D. Bachman and, possibly, thirty employes.

Q. What's his business? A. Buyer, and bottling soda water, beer, etc.

Q. On what street is that? A. On Surf avenue; I am taking now the north side of Surf avenue; Eddy Buschman, Fred Van Weegan, Fred Hahn, James Quigley and the four Newtons, eight Balsemos.

Q. Italians? A. Yes; but I think some of them are American born; they are all living here; Garrett Hayden, the bartender, and three or four of his help; William Deverney, Fred Deverney and William Deverney, Jr.; if I go into the Italian colony there, there are possibly 150 more, at a low estimate; on the north side you meet — there is a gentleman has the farthest hotel on Surf avenue; I forget his name; he is a long resident, and he has three sons; McPherson is the name; Ravenhall, and two sons, and possibly two men; Martin Rausher, and then there is a new row of flats there built by Mr. Gallagher, possibly sixteen or eighteen, and several hotels; the proprietors' names I can't call, but I understand that in all, Mr. Stratton and Mr. Henderson built — about 160 houses built last year on their property, every one of which is occupied by one or more families, and possibly more would be used by four families than by one, and in each one of these there is at least one man; then there is Mr. Irish, the druggist; Mr. Horton, three Poppers, and I think Mr. Popper has two men; then there is John G. Van Dine, Feltman, Harry and the employe; Straub, Henry; then there is Feltman's Hotel, in which I might say there are several employes who voted also, and from the hotel would also be Charles, Jr.; also Henry Albertson and a couple of other men I am well acquainted with, but whose names I don't know; they have been living there for years, and there is a man named Cohen, whose first name I can't recall, doing business on the Bowery, and Adams, I think, Adams Marks or Marks Adams; there is a Perry family, a father and two sons, and possibly four others live there; R. J. Sutherland and two bartenders, two or four waiters in his place all the year and the stableman, and there is Moses Smith, the barber, with, I think, four barbers; I think there is four chairs there; and Louis Stauch, with one or two bartenders; Thomas Stack

and John Stack, and a man named Caldwell; there are several others down in the Bowery I am well acquainted with; in the older part of the Bowery, that I can't just call now; if some one would prompt the names of the house I would tell who is there very quickly.

Q. The several persons you have named as employing 200, 150 and 100 people are persons who have been in the habit, when the season is busy, of employing that number of men? A. Yes.

Q. And you don't know, as a matter of fact, whether those persons were living there and entitled to vote on election day? A. I took that as a part of the responsibility of the proprietors of the hotels, as we do from knowing the people.

Q. If a certain man comes here and puts down 100 names, or causes them to be put down, you take it for granted that it is so unless it is questioned by somebody else? A. We do not.

Q. How do those names get on there? A. The parties went to the houses and took these names.

Q. What parties? A. I don't know who it was took the copy of the people who live in these houses; they were people employed to do that; I couldn't recall the name now of the parties who took the registry list; I am talking now about a list when some parties went around and went to their houses.

Q. What I want to know from you is, how the names of these people got upon the registry list that was voted upon at the last election? A. There were two people appointed by the Democratic organization of the town to go out and make a house to house canvass, and they met all the employes and got from the employes their names, and they see these people and they claim their residence and right to vote here, and the registry board has taken that as the registry list.

Q. Then it was upon the unsworn statement of the people who went around in the interest of the Democratic party that the list was made? A. I say no.

Q. How did you get it? A. We took the registry list and the registry list was exposed here, and if any person should find any fault, or anything wrong, it was for them to say.

Q. Then what I said was true, that these people sent around and got these names and when those names were required, you, as you claim, hung them up in a certain place, and if any one doubted them they were stricken off; isn't it so? A. Certainly it is.

Q. And if they were not stricken off they were voted? A. All the names were not voted.

Q. You are a brother-in-law of Joseph Goodfellow? A. I am.

Q. Isn't it the fact that when a registry list was searched for to be copied you were not in town? A. It is not.

Q. Were you here? A. I was.

Q. Didn't you know they were seeking to serve you with papers to procure the registry list? A. I did.

Q. And you didn't turn up? A. I didn't know it was necessary for me to turn up; I was attending to my business.

Q. You didn't turn up with the list? A. I wasn't asked for the list.

Q. You knew they were after the list? A. I did.

Q. And wouldn't help them to find it? A. Why should I?

Q. Didn't you know it was in the interest of good government; you were a public officer? A. Yes, sir.

Q. And when you knew, as you have now stated; that they were looking for you, was it not your duty as a public officer to come forward and furnish the list as the law requires? A. I had done my duty as a public officer by posting my list in my booth the day before I had a right to do it.

Q. You didn't cease to be a public officer until after the canvass was closed on the seventh day of November? A. I know that, sir.

Q. Do you or not admit it was your duty as a public officer, that when you knew the public were seeking to make a copy—? A. Who do you refer to as the public?

Q. Didn't you read the press? A. I did.

Q. Didn't you know that you were being industriously searched for to secure that registry list? A. I did, and the proper place to seek for me was either at my house or my place of business, and there I was.

Q. They didn't call at your home? A. They did not; if they did call at my home at any time, my wife was there, and my book was laying on my desk in the parlor where anybody could see it.

Q. Isn't it a fact that even after those books were called for by the court they couldn't be had? A. It is not.

Q. What is the fact? A. The fact is my books could be found at any time.

Q. After the court had granted an order to have those lists copied, is it a fact that they were not obtained? A. I don't know whether they were obtained or not; I know that the book that I was required by law to hang up in my booth, I hung up on the twenty-first day of October, and I hung it up again the twenty-seventh, and I found it there November seventh; and any one who wanted to see it at my house.

Q. Then, if they had that right they never availed themselves of it? A. They never availed themselves of it.

Q. And you never took any trouble to notify them where they could find them? A. I did not.

Q. You knew that somebody was looking for the lists? A. I did.

Q. But you didn't take any pains to put yourself in communication with those people? A. I did not; (I didn't think it was necessary).

The part of the answer in parentheses is objected to, and stricken out upon motion.

Q. You personally recorded on the registry list for the second district to be voted in the last election, how many names? A. I think it was 2,400 and something.

Q. Do you now want this committee to understand that you personally knew that those 2,400 and some names lived in the second district and were entitled to vote? A. I didn't personally know the 2,400 people, certainly not.

By Mr. Durack:

Q. I haven't heard you make any reference to railroad men, do any considerable number live in the second district? A. No, sir; there are some of them, the main part are all railroad people.

By Mr. Harrigan:

Q. Did those 2,400 people you speak of either furnish you personally what you considered sufficient reason, or other people of well known repute to you, before you placed their names in the registry-book? A. Yes; or otherwise they wouldn't be placed there.

By Mr. Elliott:

Q. Is it or not the fact that those names were placed there upon the unsworn statement of anybody? A. I didn't swear anybody.

By the Chairman:

Q. They were put there without any sworn statement by anybody? A. Certainly.

By Mr. Durack:

Q. You didn't make any personal canvass in the second district? A. I did not.

By Mr. Harrigan.

Q. Did you know of any provision of law that required you to swear them? A. Certainly not.

Q. And was the course pursued the same as has been pursued in previous years.

Objected to. Objection sustained by the majority of the committee. The minority of the committee excepts.

A. Yes, sir.

Adjourned to meet at 3 p. m., at the city hall in Brooklyn.

After Recess.

Mr. Judge moves to strike out all the papers admitted in evidence as copies from the papers filed in the county clerk's office in the mandamus and contempt proceedings in the matter of the People against John Y. McKane. Motion granted.

Mr. Judge offered in evidence two affidavits, one made by the clerk of the village of Owego, and one by one of the trustees of the same village, in the county of Tioga, for the purpose of showing the number of votes cast at an election held in that village, January 2, 1894.

The offer is rejected. The minority of the committee dissents from the ruling of the majority. The papers are marked for identification Nos. 1 and 2, of this date.

Mr. Harrigan (to Mr. Judge).— Are you ready to produce the witnesses who made the affidavits ?

Mr. Judge.— I am, by taking time to get them.

Mr. Harrigan.— How much time will it take to get them ?

Mr. Judge.— Two days.

Mr. Harrigan.— Why are they not here to-day ?

Mr. Judge.— We sent for them, and they sent down the affidavits and thought they would do instead.

Mr. Harrigan.— You are positive that within two days you could produce those witnesses.

Mr. Judge.— Yes.

The Chairman.— All subpoenas for the contestee asked for of the committee have been delivered to either the counsel for the contestee or such person or persons as they have designated, and no refusal of the issuance of any subpoena or subpoenas has been made by the committee, and due notice was given on Friday last that the evidence in this case would be closed at this hearing in the presence of all counsel, and to them; at the same time one of the counsel for the contestee said that they had communicated with persons in a distant part of the State, but had not yet heard from them.

Mr. Harrigan.— At the same time counsel for the contestee stated to the committee the nature of the evidence which he intended to prove by the witnesses in a distant part of the State from whom he had not heard since communicating with them, and the committee then decided that when he heard from them the question of the admissibility of such evidence would be considered, and also the question as to whether such evidence, if admissible, should be introduced by affidavit, or in the shape of oral testimony.

The Chairman.— That is not in accordance with my understanding at all. Counsel did not state even that they knew they wanted a witness, but that they had heard a rumor and they didn't

know whether they wanted the evidence at all until they had received a reply to their communication.

The Chairman (to Mr. Judge).— Do you claim that you haven't been as fairly treated in this hearing and this contest as the contestant has?

Mr. Judge.— Up to now, I say we have been.

The Chairman.— Haven't you utilized with to-day as many days in making your defense as the contestant had?

Mr. Judge.— I can't recall; if you say so, it is so.

The Chairman.— Did not this committee, at the request of counsel for the contestee, visit Gravesend, and there at the town hall, view an object lesson of voting?

Mr. Judge.— They certainly did.

Mr. Harrigan.— Has the committee given you ample opportunity to fairly present your side of the case?

Mr. Judge.— Of course, I haven't expressed anything like that; I think we have been pushed along; that is, we have had to go on from day to day, and that, of course, interfered somewhat with our work.

The Chairman.— You mean your work in this case?

Mr. Judge.— Yes; we have been pushed on so that it has been difficult to see people or talk with the witnesses.

Mr. Harrigan.— If you are denied the right of producing this testimony from Tioga county, will you have fully and fairly, to your mind, as a lawyer, presented the case of the contestee?

Mr. Judge.— I say, certainly not.

Mr. Harrigan.— With that exception, have you been treated fairly by the committee?

Mr. Judge.— With the exception of going on from day to day, I think, the committee decided the questions as they arose, according to their judgment.

George J. Smith, called on behalf of contestee, being duly sworn, testified as follows:

Mr. Elliott objects to this witness or any other witness being examined except Mr. Williams, who, according to the statement of counsel on the last day, was the only witness they desired to call.

Mr. Durack states that if the testimony of these two town officials, which he now produces from the town of Flatbush, is admitted he will not seek testimony as to Tioga county.

On that statement counsel for contestee are allowed to produce the two witnesses referred to.

By Mr. Judge:

Q. Where do you reside? A. Town of Flatbush.

Q. How long have you lived there? A. About eighteen years.

Q. Do you hold any official position in the town? A. Town clerk.

Q. Were you subpoenaed to come here to-day? A. Yes, sir.

Q. To bring with you the poll-book of the recent election? A. Yes, sir.

Q. When was that election held? A. In April, 1893.

Q. Have you that poll-book here? A. I have.

Q. Will you open the poll-book and say what number of votes were cast at that election? A. We polled 1,685.

Q. That is the last number? A. The last number of votes that was registered in the lists.

Q. This number that you refer to is the last number; that is, the number of the ballot? A. The last number of the ballot; yes, sir.

Q. How many candidates were there at that election? A. Three candidates for justices of the peace; there was a Republican candidate and a Citizen's League fusion ticket.

Q. That was a Republican ticket? A. No; there was a Republican and a Citizens' League ticket and a Democratic ticket, besides our appropriation ticket.

Q. How was that election conducted? A. Under the Ballot Reform Law; a box for the unvoted and a box for the voted ballots.

Q. Were the stubs torn off? A. Yes, sir.

Q. How many inspectors? A. The justices of the peace acted as inspectors; there were three inspectors.

Q. Were you present at that election that day? A. Yes, sir.

Q. Was there a line constantly there all day? A. No, sir;

at sunrise, when the polls were opened, there was, I guess, fifty or seventy-five people in line, and after that I don't suppose there was twelve people in line all day.

Q. Was there any intermission? A. Yes; we adjourned for about fifty minutes, between 12 and 1, to go to our town meeting.

Q. No votes were cast then? A. No votes were cast then.

Q. How many booths did you have? A. I couldn't remember that; I couldn't tell you.

Q. Were you in there all day? A. Yes, sir.

Q. You say they closed at sunset? A. Sunset.

Q. Did you see the votes counted? A. Yes, sir.

Q. You were there and saw them counted? A. I was there and see them counted.

Mr. Judge asks the committee to take the judicial notice of the time the sun rose and set on April 4, 1893.

Q. This was cast at one polling place? A. Yes, sir.

Q. Do you know whether one man wrote all the names in that book? A. Yes, sir; one man wrote all those names.

No cross-examination.

Edward Sweeney, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Judge:

Q. Where do you reside? A. Vernon avenue, Flatbush.

Q. Were you one of the inspectors of election at the general election held there last April? A. Yes, sir.

Q. When was that held? A. The first Tuesday in April; I don't know.

Q. You say you were inspector of election there? A. Yes, sir.

Q. Were you there all day? A. All day; yes, sir.

Q. Was that election held under the Ballot Reform Law? A. Yes, sir.

Q. Booths? A. Yes, sir.

Q. One ballot-box for the unvoted ballots and one for the voted? A. Yes, sir; and one for the stubs.

Q. And you had a poll clerk and inspector? A. Yes; and registry clerks.

Q. And how many tickets? A. I think there was four, Democratic, Republican and Fusion, and what they call a Citizen League at that time, and an appropriation for the town.

Q. At that election, do you remember the poll-book that was used? A. I remember, for I see the writing; I know the writing of the poll clerk.

Q. Is that the poll-book (showing book to witness)? A. That is the poll clerk's writing, Frederick Schultz.

Q. And the names on that book, were they taken down as the voters came in? A. Yes, sir.

Q. And the numbers on the side of the book are the numbers of ballots that were given the voters? A. Yes, sir.

Q. And that number on the margin represents the last ballot given to the last voter that came in? A. Yes, sir.

Q. Were these votes all cast on that day? A. Yes, sir; well, there was some dispute; of course they were duplicates, and that includes the 1,685; they were destroyed by the voters in the booths, and they would return them and get new ones.

Q. About how many do you think was destroyed? A. I didn't keep tally, but I judge from looking on the file there was in the neighborhood of fifteen or twenty during the day.

Q. Did you attend at the counting of the vote? A. Yes, sir.

Q. And they were counted immediately after the election? A. We sealed the box and turned over to the police immediately after election and then came back and tallied.

Q. Was there an intermission between the voting? A. At noon-time; yes, sir.

Q. About how long? A. In the neighborhood of an hour; I know we had hardly got to voting again before the clock struck 1, and we closed at 12.

Q. Was there a constant line all day? A. No, sir; in the morning there was, and in the evening the line was pretty large, but all voted that presented themselves; there were none cut off.

Q. You were subpoenaed to-day? A. Yes, sir.

Cross-examination by Mr. Elliott:

Q. Do you know the last witness? A. Yes, sir.

Q. Is he clerk? A. Yes.

Q. Do you live in the seventh district? A. No, sir; I do not.

Q. Did the last witness live in the seventh district? A. He lives in the same district I do.

Q. Do either of you live in Mr. Friday's district? A. No, sir.

By the Chairman:

Q. Where is the town of Flatbush? A. It is southeast of here.

Q. In Kings county? A. Yes, sir; about three miles from here; it joins Gravesend, New Utrecht, Flatlands and the city of Brooklyn.

No cross-examination.

Counsel for contestee rests.

Testimony closed.

Mr. Judge makes application to the committee for permission to present this case before the whole committee on privileges and elections, and states that he will appear before the committee anywhere in the State at the convenience of the committee for that purpose.

APPENDIX.

APPENDIX.

Poll List Kept by the Poll Clerks in the First Election District of the Town of Gravesend, at the General Electiou Held in Said Election District on the Seventh Day of November, 1893.

Board of Inspectors.

Name.	Residence.
John W. Murphy, chairman	Gravesend Beach
Morton Morris	Gravesend Beach
John H. Brownhill	Gravesend Beach

Ballot Clerks.

John J. McGetrick	Gravesend Beach
James McBride	Gravesend Beach

Poll Clerks.

John Walsh	Gravesend Beach
R. R. Hughes	Gravesend Beach

Date of filing, November 7, 1893.

Poll list to be filed in the office of the Town Clerk.

JOHN L. VOORHIES, *Town Clerk.*

POLL LIST.

A.

Ballot No.	Names and residence of voters.	Box. 1	2	3
32	David Adkins, Gravesend Beach	1	....	1
44	John Anderson, Gravesend	1	....	1
45	John Allen, Gravesend	1	....	1
50	William Abrams, West Bank	1	....	1
51	William Ackman, Gravesend Beach	1	....	1
58	John Aaron, Gravesend Beach	1	....	1
60	Charles Anderson, Gravesend Beach	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
63	Charles Acker, Gravesend Beach	1	....	1
77	Augusta Aberg, Gravesend Beach	1	....	1
87	August Amelong, Sr., West Bank	1	....	1
90	Joseph Assenheim, Gravesend Beach	1	....	1
92	Bernard Abby, Gravesend Beach	1	....	1
9	Fred Enoch, Gravesend Beach	1	....	*1
95	Antone Amelong, West Bank	1	....	1
112	George Aumuck, Gravesend Beach	1	....	1
113	William Abbley, Gravesend Beach	1	....	1
114	Samuel Abend, Gravesend Beach	1	....	1
121	Joseph Abate, Gravesend Beach	1	....	1
131	John Acker, Gravesend Beach	1	....	1
142	John Alcon, Gravesend Beach	1	....	1
156	Jacob Alker, Gravesend Beach	1	....	1
159	William Aumack, Gravesend Beach	1	....	1
161	John Armstrong, Gravesend Beach	1	....	1
166	John Appleton, Gravesend Beach	1	....	1
180	George Abbott, Gravesend Beach	1	....	1
183	Lewis Assenheim, Bensonhurst	1	....	1
223	Edwin Ashwick, Gravesend Beach	1	....	1
266	Jerry Ahern, Gravesend Beach	1	....	1
268	William Engess, Gravesend Beach	1	....	1
310	William Ackerly, Gravesend Beach	1	....	1
378	Montague Allen, Gravesend Beach	1	....	1
443	Joseph Aaron, Gravesend Beach	1	....	1

B.

10	John H. Brownhill, Gravesend Beach	1	....	1
18	William E Broodhead, Gravesend Beach	1	....	1
40	Thomas Bell, Bensonhurst	1	....	1
105	August Buskey, Gravesend Beach	1	....	1
106	John Barker, Gravesend Beach	1	....	1
107	J. M. Buck, Gravesend Beach	1	....	1
117	Robert A. Brewster, S. Bensonhurst	1	....	1
139	William H. Bailey, Gravesend Beach	1	....	1
152	Charles Gehing, Gravesend Beach	1	....	*1
163	William Brawn, Bensonhurst	1	....	1

* By mistake.

Ballot No.	Names and residence of voters.	Box. 1	2	3
181	R. L. Brackett, Bensonhurst	1	....	1
212	Frank Burdrick, Gravesend Beach	1	....	1
218	William Baker, Gravesend Beach	1	....	1
219	John Britton, Gravesend Beach	1	....	1
249	Garry Barrey, Gravesend Beach	1	....	1
256	William Butler, Gravesend Beach	1	....	1
258	Charles Burckett, Gravesend Beach	1	....	1
259	Aren Burr, Gravesend Beach	1	....	1
283	Henry M. Batteman, Gravesend Beach	1	....	1
290	John Brocaw, Gravesend Beach	1	....	1
293	Charles Baker, Gravesend Beach	1	....	1
339	J. Robert Bailey, Gravesend Beach	1	....	1
346	Jacob Blakeney, Gravesend Beach	1	....	1
369	Moses Blakley, Gravesend	1	....	1
379	Horice Bender, Gravesend Beach	1	....	1
381	Harry Bretell, Gravesend Beach	1	....	1
382	Charles Blake, Gravesend Beach	1	....	1
395	George Bennett, Gravesend	1	....	1
396	Henry Brownell, Gravesend Beach	1	....	1
403	Aaron Brady, Gravesend Beach	1	....	1
411	Albert Bretell, Gravesend Beach	1	....	1
422	Jacob Britz, Gravesend Beach	1	....	1
444	Charles Butler, Gravesend Beach	1	....	1

C.

118	John Coperland, Gravesend Beach	1	....	1
119	Charles Cox, Gravesend Beach	1	....	1
76	Norman Case, Gravesend Beach	1	....	1
141	George Carnon, Gravesend Beach	1	....	1
143	Tunis Cropsey, Gravesend Beach	1	....	1
186	John W. Crawford, Gravesend Beach	1	....	1
207	Harmon W. Cropsey, Gravesend Beach	1	....	1
269	John Carter, Gravesend Beach	1	....	1
296	William J. Clark, South Bensonhurst	1	....	1
305	Jerry Callahan, Gravesend Beach	1	....	1
327	Joseph H. Cunningham, Bensonhurst	1	....	1
349	John Case, Gravesend Beach	1	....	1
405	George Comer, Gravesend Beach	1	....	1
423	William B. Coolman, Gravesend Beach	1	....	1

D.

Ballot No.	Names and residence of voters.	Box. 1	2	3
12	Joe B. De Nyse, Gravesend Beach	1	....	1
42	Robert J. Dillon, Gravesend Beach	1	....	1
75	George Dingman, Gravesend Beach	1	....	1
76	Norman Case	1	....	*1
109	James Dowling, Gravesend Beach	1	....	1
128	Thomas Doble, Twenty-second avenue	1	....	1
169	John B. De Nyse, Gravesend Beach	1	....	1
175	Charles Davis, Gravesend Beach	1	....	1
208	David Drake, Gravesend Beach	1	....	1
220	John Ditman, Gravesend Beach	1	....	1
221	William Delaney, Gravesend Beach	1	....	1
222	James Daly, Gravesend Beach	1	....	1
228	Andrew Darhy, Gravesend Beach	1	....	1
248	John Dovell, Gravesend Beach	1	....	1
260	John Dalton, Gravesend Beach	1	....	1
264	W. I. De Nyse, Gravesend Beach	1	....	1
270	John Dershire, Gravesend Beach	1	....	1
272	Alonzo Draper, South Bensonhurst	1	....	1
289	Eddie Davidson, South Bensonhurst	1	....	1
307	John De Nyse, South Bensonhurst	1	....	1
318	Lewis Drumond, South Bensonhurst	1	....	1
319	Patrick Drumond, South Bensonhurst	1	....	1
351	Alfred Derbyshire, South Bensonhurst	1	....	1
352	John C. Derbyshire, South Bensonhurst	1	....	1
355	Charles Drumond, South Bensonhurst	1	....	1
406	Louis Deverua, West Bank	1	....	1
448	Patrick Dunn, Gravesend Beach	1	....	1
449	E. L. Desvenie, Bensonhurst	1	....	1

E.

31	Fred Eyppert, Gravesend Beach	1	....	1
37	Walter Epter, Gravesend Beach	1	....	1
43	Thomas Elton, Gravesend Beach	1	....	1
93	Fred Enoch, Gravesend Beach	1	....	1
130	George Emmens, West Bank	1	....	1
148	Joseph Esly, Gravesend Beach	1	....	1
162	Richard Ehrhardt, Gravesend Beach	1	....	1

* By mistake.

Ballot No.	Names and residence of voters.	Box. 1	2	3
170	Edward English, Gravesend Beach	1	....	1
190	John Elrich, Gravesend Beach.	1	....	1
191	John Early, Gravesend Beach	1	....	1
193	Patrick Enin, Gravesend Beach	1	....	1
199	Frank Egan, Gravesend Beach	1	....	1
202	William Esler, Gravesend Beach	1	....	1
209	William H. Ellis, Gravesend Beach	1	....	1
214	William Edwards, Gravesend Beach	1	....	1
215	Frank Eguer, Gravesend Beach	1	....	1
216	John Ellis, Gravesend Beach	1	....	1
232	Walter Eckmann, Gravesend Beach	1	....	1
236	David Eaton, Gravesend Beach	1	....	1
237	Frank Ender, Gravesend Beach	1	....	1
257	Thomas Elliott, West Bank	1	....	1
306	Robert Enin, Sr., Gravesend Beach	1	....	1
309	William Everett, Gravesend Beach	1	....	1
316	Robert Enin, Jr., Gravesend Beach	1	....	1
317	William English, Gravesend Beach	1	....	1
367	Wililam H. Grendes, Gravesend Beach *	1	....	1
424	William Emerick, West Bank	1	....	1
445	John Ebel, Gravesend Beach	1	....	1

F.

39	Edward Fitzgerald, Gravesend Beach	1	....	1
59	John French, West Bank	1	....	1
171	William Frost, Gravesend Beach	1	....	1
173	John Foster, Gravesend Beach	1	....	1
177	John Feigle, Gravesend Beach	1	....	1
187	William Foxwell, Gravesend Beach	1	....	1
188	John Forbush, Gravesend Beach	1	....	1
192	Frank Fulton, Gravesend Beach	1	....	1
198	Walter Furman, Gravesend Beach	1	....	1
200	August Flick, Gravesend Beach	1	....	1
201	Henry Faustman, Gravesend Beach	1	....	1
205	John Fenton, Gravesend Beach	1	....	1
210	John Fordham, Gravesend Beach	1	....	1
224	John Fott, Gravesend Beach	1	....	1
226	John Ferber, Gravesend Beach	1	....	1

*By mistake.

Ballot No.	Names and residence of voters.	Box. 1	2	3
231	Andrew Fairchild, Gravesend Beach	1	....	1
233	Frederick Forner, Gravesend Beach	1	....	1
238	John Flynn, Gravesend Beach	1	....	1
425	Frederick Foster, Gravesend Beach.	1	....	1
446	John Finnigan, Gravesend Beach	1	....	1

G.

2	Alfred Guaidot, Gravesend Beach	1	....	1
38	Fred. Guaidot, Gravesend Beach	1	....	1
99	George Grinnel, Gravesend Beach	1	....	1
111	Michill Gaffney, Gravesend Beach	1	....	1
137	Charles Garclon, Gravesend Beach	1	...	1
145	Julius Gray, Gravesend Beach	1	....	1
150	Ausker Grauer, Gravesend Beach	1	....	1
152	Charles Gehrig, Gravesend Beach	1	....	1
196	Richard Green, Gravesend Beach	1	....	1
243	Frank Girardot, Gravesend Beach	1	....	1
247	Dell Gardener, Gravesend Beach	1	....	1
291	Rudolph Guthiel, Gravesend Beach	1	....	1
294	Paul Goetesheimer, West Bank	1	....	1
299	Jessie G. Gates, Gravesend Beach	1	....	1
312	John Gallagher, Gravesead Beach	1	....	1
320	Michael Griffin, Gravesend Beach	1	....	1
321	James Gardner, Bensonhurst	1	....	1
326	George Gilmore, Gravesend Beach	1	....	1
407	William Green, Bensonhurst	1	....	1
408	Charles Goskay, Gravesend Beach	1	....	1
409	Frank Galle, Gravesend Beach	1	....	1
367	William Greaves, Gravesend Beach	1	....	1
341	George Greaves, Gravesend Beach	1	....	1

H.

9	R. R. Hughes, Gravesend Beach	1	....	1
41	R. Haufacker, Gravesend Beach	1	....	1
47	F. G. Hotchkiss, Gravesend Beach	1	....	1
100	John Hughes, Gravesend Beach	1	....	1
155	John F. Hinman, Gravesend Beach	1	....	1
167	Richard M. Hayman, Gravesend Beach	1	....	1
168	I. P. Hyde, Gravesend Beach	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
172	Frank Henderson, Gravesend Beach	1	....	1
206	John Horn, Bensonhurst	1	....	1
311	Joseph Hallott, Gravesend Beach	1	....	1
350	E. J. Hinman, Gravesend Beach	1	....	1
364	Leslie Hyde, Gravesend Beach	1	....	1
373	Lewis Hoadley, Gravesend Beach	1	....	1
383	Thomas Hart, West Bank.	1	....	1
413	Thomas Heaney, Unionville	1	....	1
414	A. Humfolds, Gravesend Beach	1	....	1
415	Rudolph Hormickle, Gravesend Beach	1	....	1
426	Charles Heiderman, Gravesend Beach	1	....	1
557	Herman Kruger, Gravesend Beach	1	....	*1
	I.			
325	Bert. Inge, Gravesend Beach	1	...	1
418	William Inge, Gravesend Beach	1	....	1
	J.			
286	Jesse Jones, West Bank	1	....	1
308	John Joyce, Unionville	1	....	1
338	John M. Jones, Gravesend	1	....	1
	K.			
14	Max Kent, Gravesend Beach	1	....	1
15	Peter Knell, Gravesend Beach	1	....	1
16	Richard Kaiser, Gravesend Beach	1	....	1
295	Edward Kelly, Gravesend Beach	1	....	1
335	Charles Keyes, Gravesend	1	....	1
336	Arthur Knowles, Gravesend Beach	1	....	1
356	Charles Keyes, Sr., Gravesend	1	....	1
365	George Kenneth, Bensonhurst	1	....	1
384	M. Kendelka, Gravesend Beach	1	....	1
385	Michael Kehl, Gravesend Beach	1	....	1
402	William Kenney, Gravesend Beach	1	....	1
416	Patrick King, Gravesend Beach	1	....	1
419	James Kenna, Gravesend Beach	1	....	1
427	Sherman Kessner, Gravesend Beach	1	....	1
477	Herman Kruger, Gravesend Beach	1	....	1

*By mistake.

L.

Ballot No.	Names and residence of voters.	Box. 1	2	3
76	John Lynch, Gravesend Beach	1	....	1
78	John Lyman, Bensonhurst	1	....	1
101	Hugh Larkin, Gravesend Beach	1	....	1
115	John Lockwood, Gravesend Beach	1	....	1
138	Erest Look, Gravesend Beach	1	....	1
140	Fred Lohman, West Bank	1	....	1
146	John Little, Gravesend Beach	1	....	1
147	G. Lagmann, Gravesend Beach	1	....	1
154	Augustine Lefie, Gravesend Beach	1	....	1
176	William Long, Gravesend Beach	1	....	1
178	George Lang, Grovesend Beach	1	....	1
182	Edward Lathrop, Bensonhurst	1	....	1
227	William Luffer, Bensonhurst	1	....	1
271	Adam Larbig, West Bank	1	....	1
297	George A. Lockhart, South Bensonhurst	1	....	1
362	Fred M. Lathrop, Bensonhurst	1	....	1
394	Rodney Larkins, Gravesend Beach	1	....	1
428	George Lockport, Gravesend Beach	1	....	1
436	Robert Larkin, Gravesend Beach	1	....	1
437	James Lyons, Gravesend Beach	1	....	1
438	George B. Luch, Gravesend Beach	1	....	1

M.

7	James McBride, Gravesend Beach	1	....	1
6	John McGetrick, Gravesend Beach	1	....	1
132	Bartlett McGetrick, Gravesend Beach	1	....	1
194	Charles McGuness, Gravesend Beach	1	....	1
195	Patrick McGuire, Gravesend Beach	1	....	1
254	Richard McCarty, Gravesend Beach	1	....	1
255	John McLaughlin, Gravesend Beach	1	....	1
284	Henry Moore, Gravesend Beach	1	....	1
298	Louis Mitchell, Unionville	1	....	1
301	George McBride, Gravesend Beach	1	....	1
345	Hugh McBride, Gravesend Beach	1	....	1
357	Louis McBride, Gravesend Beach	1	....	1
358	Bartlett McGetrick, Gravesend Beach	1	....	1
387	Arthur McGuire, Gravesend Beach	1	....	1
1	Morton Morris, Gravesend Beach	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
5	John W. Murphy, Gravesend Beach	1	....	1
11	Charles E. Morris, Gravesend Beach	1	....	1
19	William Muller, Gravesend Beach	1	....	1
20	Rudolph Myers, Gravesend Beach	1	....	1
55	Thomas Murphy, Gravesend Beach	1	....	1
91	M. Maish, Gravesend Beach	1	....	1
102	John Mitchell, Gravesend Beach	1	....	1
120	Michael Murphy, Gravesend Beach	1	....	1
135	Julius Marro, Gravesend Beach	1	....	1
160	John Morris, Gravesend Beach	1	....	1
165	James Maddock, Gravesend Beach	1	....	1
174	Pat Murphy, Bensonhurst	1	....	1
189	John Manning, Bensonhurst	1	....	1
240	Harry Moore, West Bank	1	....	1
241	Dan Morrison, Beach Lane	1	....	1
265	Ed. W. Morris, Gravesend Beach	1	....	1
331	Caslo Mele, Gravesend Beach	1	....	1
333	Thomas Mooney, Gravesend Beach	1	....	1
337	Robert Meritt, Gravesend Beach,	1	....	1
340	Edward Miller, Gravesend Beach	1	....	1
341	George Greves, Gravesend Beach	1	....	*1
361	Michael Moore, Gravesend Beach	1	....	1
366	James Moran, Gravesend Beach	1	....	1
386	Thomas Murray, Gravesend Beach	1	....	1
391	Stephen Morrris, Gravesend Beach	1	....	1
392	William H. Morris, Gravesend Beach	1	....	1
401	Edward Miner, Bensonhurst	1	....	1
417	William Malone, Gravesend Beach	1	....	1
429	O. Meyer, Gravesend Beach	1	....	1
430	Robert Morelt, Gravesend Beach	1	....	1
439	John Maus, Gravesend Beach	1	....	1

N.

33	Frank Naylor, Bensonhurst	1	....	1
35	Patrick Neeley, Bensonhurst	1	....	1
71	Frank Netler, Gravesend Beach	1	....	1
72	Francis Neppet, Gravesend Beach	1	....	1
98	Abram Nestel, Gravesend Beach	1	....	1
116	William Newton, West Bank	1	....	1

* By mistake.

Ballot No.	Names and residence of voters.	Box. 1	2	3
153	Fritz Nollz, Gravesend Beach	1	....	1
164	Sogmind Nallatscherk, Gravesend Beach	1	....	1
225	James Nesdole, West Bank	1	....	1
234	John Nester, West Bank	1	....	1
235	Charles Nepper, Gravesend Beach	1	....	1
242	John Noonan, Eighty-sixth street	1	....	1
324	Frederick Neu, Gravesend Beach	1	....	1
	O.			
34	John Oakley, Eighty-sixth street	1	....	1
46	John O'Brien, Gravesend Beach	1	....	1
49	William Owens, Gravesend Beach	1	....	1
52	John Overton, Gravesend Beach	1	....	1
61	Patrick Oakley, Gravesend Beach	1	....	1
62	Patrick Owens, Gravesend Beach	1	....	1
70	James O'Lane, Gravesend Beach	1	....	1
96	Jerry Obsan, Gravesend Beach	1	....	1
97	William Olbrick, Gravesend Beach	1	....	1
103	Patrick O'Connely, Gravesend Beach	1	....	1
108	William O'Day, Gravesend Beach	1	....	1
109	James Dowling, Gravesend Beach	1	....	*1
262	Michael O'Connell, Gravesend Beach	1	....	1
280	John Oliver, Unionville	1	....	1
304	Thomas O'Brien, Gravesend Beach	1	....	1
388	Patrick O'Grady, Gravesend Beach	1	....	1
410	Michael O'Forrell, Gravesend Beach	1	....	1
	P.			
21	Frank Post, Gravesend Beach	1	....	1
22	John Parker, Gravesend Beach	1	....	1
23	Thomas Price, Gravesend Beach	1	....	1
24	William Putman, Gravesend Beach	1	....	1
30	William Price, Bensonhnrst	1	....	1
48	George Page, Bensonhurst	1	....	1
64	Frank Paton, West Bank	1	....	1
67	Lewis Potter, Gravesend Beach	1	....	1
68	John Parrot, West Bank	1	....	1

* By mistake.

Ballot No.	Names and residence of voters.	Box. 1	2	3
69	Charles Peabody, Bensonhurst	1	....	1
94	Frank Patterson, Gravesend Beach	1	....	1
136	John Philips, Gravesend Beach	1	....	1
261	Frank Potter, Gravesend Beach	1	....	1
300	William Pallen, Gravesend Beach	1	....	1
342	Joe Pinkerton, Gravesend Beach	1	....	1
343	William Peterson, Gravesend Beach	1	....	1
353	Sam Potter, Gravesend Beach	1	....	1
371	John Potter, Gravesend Beach	1	....	1
376	Richard Peters, Eighty-sixth street (?)	1	....	1
377	Whitney Palmer, Gravesend Beach	1	....	1

R.

25	Patrick Reynolds, Gravesend Beach	1	....	1
29	William Rogers, Gravesend Beach	1	....	1
65	Robert Ring, Gravesend Beach	1	....	1
66	Isaac Ring, Gravesend Beach	1	....	1
74	Isaac Ring, Sr., Gravesend Beach	1	....	1
79	Frank Rinz, Gravesend Beach	1	....	1
80	Frank Rich, Gravesend Beach	1	....	1
81	David Richardson, Gravesend Beach	1	....	1
82	Charles Rich, Gravesend Beach	1	....	1
83	Walter Richter, Gravesend Beach	1	....	1
84	Charles W. Riley, West Bank	1	....	1
85	Frank Rigney, Gravesend Beach	1	....	1
86	William Rumpf, Gravesend Beach	1	....	1
123	George M. Ryder, Gravesend Beach	1	....	1
144	Gerard Rider, Gravesend	1	....	1
179	Clarence Remson, Gravesend Beach	1	....	1
211	George W. Ring, Gravesend Beach	1	....	1
213	Michael Roberts, Eighty-sixth street	1	....	1
217	William Remson, Gravesend Beach	1	....	1
229	James Romans, Gravesend Beach	1	....	1
230	Charles Riley, Unionville	1	....	1
252	John Riley, West Bank	1	....	1
372	William Remson, Jr., Gravesend Beach	1	....	1
375	Floyd Remson, Gravesend Beach	1	....	1
389	Thomas Rue, Gravesend Beach	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
393	Charles Richard, Gravesend Beach	1	....	1
399	William Raymond, Eighty-sixth street	1	....	1
431	Herman Radich, Gravesend Beach	1	....	1

S.

26	Henry Schmidt, Gravesend Beach	1	....	1
27	Peter Saunders, Jr., Gravesend Beach	1	....	1
36	John Snedeker, Gravesend Beach	1	....	1
54	George Simson, Gravesend Beach	1	....	1
149	Edward Schonuller, Gravesend Beach	1	....	1
157	David Snedeker, Gravesend Beach	1	....	1
184	Cornelius Snedeker, Gravesend Beach	1	....	1
185	John R. Smith, Gravesend Beach	1	....	1
244	David Snedeker, Jr., Gravesend Beach	1	....	1
245	William Snedeker, Gravesend Beach	1	....	1
251	Nelson Smith, West Bank	1	....	1
253	Murtha Stoakes, Beach Lane	1	....	1
276	George S. Shepard, Gravesend Beach	1	....	1
278	Koster Seige, Gravesend Beach	1	....	1
313	Walter Snedeker, Gravesend Beach	1	....	1
314	Albert Schillen, West Bank	1	....	1
315	Joseph Shaffer, West Bank	1	....	1
322	F. Schlag, Gravesend Beach	1	....	1
323	Nelson Spurling, Gravesend Beach	1	....	1
328	John H. Snedeker, Gravesend Beach	1	....	1
332	George Seile, Gravesend Beach	1	....	1
334	Philip Snedeker, Gravesend Beach	1	....	1
348	Everhart Smith, Unionville	1	....	1
370	E. J. Snedeker, Gravesend Beach	1	....	1
374	Fred Sumner, Gravesend Beach	1	....	1
397	Charles Stephens, Unionville	1	....	1
404	William A. Spurling, Gravesend	1	....	1
412	Lambert Snedeker, Unionville	1	....	1
432	George Stockes, Gravesend Beach	1	....	1
433	Stanley Schoff, Gravesend Beach	1	....	1
440	Herman Scheller, Gravesend Beach	1	....	1
441	Charles Schello, Gravesend Beach	1	....	1

T.

Ballot No.	Names and residence of voters.	Box. 1	2	3
17	F. F. Terry, Gravesend Beach	1	....	1
133	J. C. Thompson, West Bank	1	....	1
134	August Theil, Gravesend Beach	1	....	1
263	Edward Tobin, Gravesend Beach	1	....	1
282	Frank Thompson, Gravesend Beach	1	....	1
287	Thomas Tobin, Gravesend Beach	1	....	1
329	George Townsend, Stillwell Avenue	1	....	1
330	Mat. Tobin, Gravesend Beach	1	....	1
354	Stewart S. Taylor, Unionville	1	....	1
390	Peter Tattersalls, Gravesend Beach	1	....	1
398	William Texter, Unionville	1	....	1
400	Fritz Thuer, Gravesend Beach	1	....	1
421	Edmund P. Tappy, Bensonhurst	1	....	1

V.

4	Richard Vanderbilt, Gravesend Beach	1	....	1
53	George Vanderbilt, Gravesend Beach	1	....	1
110	John Van Wart, Gravesend Beach	1	....	1
124	Alonzo Vooheese, Gravesend Beach	1	....	1
127	Charles Voorhees, Gravesend Beach	1	....	1
203	Jacob Van Wart, Gravesend Beach	1	....	1
204	Harry Van Wart, G avesend Beach	1	....	1
274	Jacob Van Dusen, Gravesend Avenue	1	...	1
277	James Van Loan, Gravesend	1	....	1
347	Abe Van Brunt, Gravesend Beach	1	....	1
359	Albert Voorhees, Gravesend Beach	1	....	1
363	William Van Piper, Gravesend	1	....	1
368	Peter J. Van Note, Gravesend Beach	1	....	1
420	John Van Piper, Gravesend	1	....	1

W.

3	Nelson Williams, Gravesend Beach	1	....	1
8	John T. Welsh, Gravesend Beach	1	....	1
13	Charles Winters, Gravesend Beach	1	....	1
28	Thomas White, Gravesend Beach	1	....	1
57	George Weeks, Bensonhurst	1	....	1
89	E. Whitman, Gravesend Beach	1	....	1
104	Jacob White, Gravesend Beach	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
122	James Whitmore, Gravesend Beach	1	...	1
125	Charles M. Wells, Bensonhurst	1	....	1
126	Edwin M. Wells, Bensonhurst	1	....	1
129	F. M. Wells, 84th street	1	....	1
197	George W. Whitman, Gravesend Beach	1	....	1
239	Frank Whitman, Gravesend Beach	1	....	1
246	Frederick White, Gravesend Beach	1	....	1
250	Edward Wilson, Gravesend Beach	1	....	1
267	Frank Waring, Beach Lane	1	....	1
273	Charles Wallace, Gravesend avenue	1	....	1
275	Julius Wagner, Gravesend Beach	1	....	1
279	Russell White, Gravesend Beach	1	....	1
281	August Willis, Unionville	1	....	1
285	Chas. Williams, Gravesend Beach	1	....	1
292	Isaac Williams, West Bank	1	....	1
302	Cornelius Walsh, Gravesend Beach	1	....	1
303	Edward Walsh, Gravesend Beach	1	....	1
344	Fred. Wykoff, Gravesend Beach	1	....	1
360	Julius Wolff, Gravesend Beach	1	....	1
380	H. F. Wolff, Gravesend Beach	1	....	1
434	James Wolff, Gravesend Beach	1	....	1
435	Fritz Wagner, Gravesend Beach	1	....	1
442	Alfred Woelffed, Gravesend Beach	1	....	1
	Y.			
154	Charles Young, Gravesend Beach	1	....	1
	Z.			
158	August Zucker, Gravesend Beach	1	....	1
288	John Zimmerman, Gravesend Beach	1	....	1

Poll list kept by the poll-clerks in the second election district in the town of Gravesend at the general election held in said election district on the seventh day of November, 1893.

Board of Inspectors.

Name.	Residence.
M. P. Ryan, chairman	Coney Island.
William Lyons	Coney Island.
C. Stubenbord, jr	Coney Island.

Ballot clerks.

Name. Residence.

Jas. Poppe .....

Henry Welty .....

Poll clerks.

B. W. Bass .....

Wm. J. Smith .....

Date of filing, November 7, 1893.

JOHN L. VOORHIES,
Town clerk.

Coney Island.

1035 Anderson, Geo.
1041 Arty, Philip.
1083 Ashley, Fred.
1088 Aseilla R.
1133 Aaron, Lewis.
1201 Anmorreaux, Fred.
1275 Ayers, Ed.
1335 Arnold, Harry.
1444 Anderson, Isaac.
1509 Aaron, Moses.
46 Anderson, A.
111 Aris, Guisepp.
112 Abraham, A.
118 Arilabot, Nicola.
119 Ayer, James
120 Aombus, Chas.
133 Aubigano, Jesse.
134 Archer, Paul.
141 Allen, Wm.
186 Athridge, Thos.
197 Atkins, Thos.
245 Anderson, Chas.
248 Armstrong, Robt.
252 Agris, Joseph.
287 Abrahamson, Abraham.
291 Anthony, Joseph.
301 Armstrong, Grant.
314 Anderson, Lawrence.
327 Abraham, Alexander.

348 Andre, William.
429 Anderson, Frank.
502 Atchison, Paul,
512 Asch, Jos.
521 Arnctrust, Val.
524 Allen, John.
602 Ander, Frank.
631 Armstrong, Charles.
776 Allen, Jos. A.
642 Adinalpi, Bengier.
778 Amos, William.
795 Allen, William H.
800 Allgier, Frank C.
815 Adler, H.
921 Ahern, William.
937 Anderson, Sam'l.
944 Adulpi, Bijohni.
948 Archer, Robt.
949 Ardrey, Wm.
954 Atherton, John.
959 Aaron, Ed.
9 Broussea, Joseph.
17 Boalmer, Izekial.
18 Breschman, Charles.
25 Baas, B. W.
40 Burchhart, Fred.
42 Buckley, Charles.
49 Bolger, John.
54 Blakey, Chas.
53 Bell, John.
59 Blakeman*.
64 Burk, Chas. M.
99 Bollenger, Fred.
100 Barry, Richard.
213 Brady, Ed.
215 Bostford, Henry.
235 Burns, Henry.
236 Burke, Marten.
246 Beach, Martin.
251 Boyle, John H.
302 Blake, Walter.

*Mistake in name.

316 Bensoger, Arthur.
317 Bensoger, Lewis.
318 Bensoger, Adolph.
328 Bullock, Thomas.
347 Burdell, John.
353 Brady, William.
357 Barry, Daniel.
365 Brumshagen, John.
370 Beizelhollena, Frank.
372 Brown, Charles,
373 Bratesin, Jesse.
398 Brownfield, Sam..
400 Barrett, John E.
401 Burkhart, Joseph.
422 Bailey, Daniel W., Jr.
482 Bayer, Augustus.
487 Burdell, Joseph.
499 Brazier, Cornell.
603 Barlow, Frank H.
610 Brazier, Wm.
630 Bray, George.
659 Burckhart, Rob. J. Jr.
668 Brummel, Chris.
671 Balsamo, Michael.
700 Bailey, Dan. W., Sr.
702 Biggart, Alex.
720 Barrs, Otto.
723 Brown, Robt.
724 Burkhart, Robt., Sr.
725 Balls, John.
731 Balsamo, Alfonse.
754 Bartell, William.
763 Bacum, William.
766 Bailey, Charles.
768 Bennet, Wesley.
784 Barker, Theodore.
790 Bronson, Thomas.
794 Bowen, John.
801 Buckley, John.
826 Brennan, Richard.

830 Brandley, Charles.
902 Brown, Rich.
917 Battasio, Antonio
1015 Burke, Frank.
1023 Bradley, James
1027 Bailey, David.
1032 Berne, John.
1036 Brownley, Frank.
1043 Briggs, Henry.
1055 Brooks, Wm.
1056 Black, Frank.
1057 Brooks, Edward. Continued on letter Y.
1103 Bernard, Jacob.
1115 Britton, Robt.
1140 Brannigan, John.
1163 Bennett, Michael.
1164 Bowen, Jas.
1181 Bently, L.
1183 Boylan, Peter.
1200 Bugiro, Adrian
1205 Brown, Andrew.
14 Chamberlain, Charles.
22 Carpuello, Jos.
56 Clark, Lewis.
96 Cullum, David.
214 Corcoran, John.
222 Case, Ed.
231 Connors, Phil.
232 Crowley, Michael.
237 Curren, Thos.
238 Conlon, Denis.
239 Carl, Ed.
223 Connors, Ed.
249 Champagne, Joseph.
250 Connor, William.
468 Cohen, Samuel.
470 Cook, John A.
474 Cullen, Thomas.
475 Cannon, D. C.
485 Cutter, George W.
490 Chapman, Robert.

500 Clark, Thomas.
503 Caddle, Walter.
513 Clayton, Albert.
525 Creed, George.
548 Connors, D. C.
555 Cole, Philip.
556 Cassidy, James.
569 Callahan, John.
573 Callahan, John G.
580 Carmell, Joseph.
593 Carter, Alfonse.
607 Conefry, Felix.
614 Cole, Frank.
964 Clark, George.
664 Cohen, Joseph.
672 Carruli, Vito.
680 Corcurillo, Michael.
682 Corjuille, Guisepp.
706 Connors, Henry.
718 Cohen, Joseph.
748 Campbell, James.
749 Conefry, James.
756 Curnow, Charles.
774 Curley, Frank.
781 Coyle, James.
981 Conway, James J.
798 Collier, Harry.
984 Carpenter, Charles.
811 Coyle, Bernard.
818 Clinton, H. B.
845 Clarkson, Benjamin.
853 Cerillo, Frank.
860 Coleman, William.
862 Cook, Charles.
1090 Clark, William.
1097 Cody, Peter.
1141 Canfield, James.
1142 Clifford, John.
1165 Canton, Charles.
1180 Crea, John A.
1182 Callahan, Jerry.

1207 Cohen, Henry.
1208 Cox, Thomas.
1221 Cook, John E.
1232 Callier, George.
1240 Collins, Samuel.
1250 Conroy, Patrick.
1342 Corbett, Patrick.
1346 Curran, Thomas.
1363 Clark, Thomas.
1400 Costello, Michael.
1410 Caldwell, John C.
1422 Cassidy, Philip.
1426 Crowley, Jerry.
1432 Cathral, Walter.
1435 Clayton, Albert.
1461 Curtis, Thomas.
1490 Conroy, James.
1491 Carpenter, Charles.
1495 Castilano, Robert.
16 Dunn, John.
34 Durand, John.
62 Debus, Maslin.
66 Donovan, John J.
68 Dean, George.
84 Doyle, Thos. J.
87 Davidson, Edward.
91 Dagregoris, Tony.
95 De Verna, William.
124 Doyle, John.
125 Dacey, Jos.
129 Dwyer, Thomas.
131 Douglass, A.
132 Dougherty, John.
142 Debbins, James.
150 Duval, Renn.
153 Dreassing, Chas.
156 Dawson, Henry.
158 Dobbins, Thomas.
166 Dentram, William.
462 DaRosa, Luiga.
489 Divers, E. M.

494 Delfino, Louis.
498 Deis, John.
504 Doody, William.
507 Denton, Charles.
511 Dubois, William.
514 Durand, Dan'l.
520 Duffy, James.
533 Daly, Thomas.
535 Dorethy, Henry.
538 Davis, John.
547 Darmer, George.
549 Downs, Michael.
554 Davis, David.
557 Davis, Charles.
563 Downs, George.
568 Davis, Charles.
571 Dailey, John.
579 Doyle, Edward.
604 Drummond, William.
609 Donnelly, William.
619 Driscoll, Con.
629 Doyle, John.
637 Duffy, James.
642 Dinalfi.*
646 Duioff, Huvil.
647 Dionaffi, Salo.
713 Demming, William.
799 Davis, J. D.
683 Dillon, James F.
802 Duffy, Frank.
804 Downs, Mike P.
805 Dix, William J.
823 Dominico, Macerino.
832 Dooley, Richard
833 Dooley, Henry.
905 Daly, Timothy.
918 Doyle, Leo.
931 Duffy, John.
949 Donnelly, Joseph.
1301 Deutch, L.
1305 Donough, Peter I.

* Mistake in name.

1317 Dunn, William.
1321 Debus, Martin.
1322 Dudick, Frank.
1401 Derwinkle, Frederick
1411 Dempsey, Daniel
1420 Dailey, George.
1421 Daley, Daniel.
1436 Day, Jack C.
1460 Dalton, Thomas.
1500 Docherty, Edward.
90 Ernst, Henry.
226 Eichenfield, Samuel.
227 Eagan, James.
228 Eagan, William.
233 Eichenfeld, Thomas.
234 Eisner, Frederick.
303 Ellwood, Harry.
319 Entricken, Harry.
329 Esposito, Tony.
334 Ellis, Samuel.
437 Eldridge, George C.
467 Eichenfield, Charles.
488 Englander, Samuel.
667 Ennis, Henry.
679 Edward, William.
729 Escot, Thomas.
806 Emmons, George.
812 Evans, Frederick.
1402 Evans, William.
1412 Ernst, Jake.
1419 Eitso, Antonio.
1433 Evans, Joseph.
1437 Eisner, Frederick.
1462 Edward, George.
1471 Eberhart, John.
1472 Emmons, George.
1476 Edwards, Thomas.
1477 Edwards, Nat.
1483 Emmons, James.
1485 Eaton, Thomas,

1498 Edson, Charles.
1499 Emery, Fred.
909 Flynn, Joseph.
950 Fay, John.
953 Feltman, John.
956 Friguli, Guseppi.
960 Francicheri, Frank.
961 Framini, Bartholdo.
967 Flyon, John.
969 Fagan, O. J.
973 Freeman, Walter.
975 Fallon, John.*
977 Fleisch, Walter.
983 Frazer, William.
988 Fitzpatrick, James.
992 Farron, James.
997 Flott, Charles.
1010 Forhn, Wm.
1025 Fully, F.
1034 Frank, G.
1048 Flannigan, W. P.
1060 Fitzpatrick, John.
12 Fakr, Maurice.
73 Fendlin, Thomas.
80 Feltman, Hardy.
89 Fox, Frank.
101 Fischer, J. L.
102 Fischer, Lewis.
113 Fenton, Theo.
126 Freekin, Moses.
114 Ferris, Wm.
135 Finley, Franklin.
151 Fuchs, August.
167 Fitzpatrick, Bern'd.
172 Fox, Geo.
185 Franck, Frank.
187 Finnigan, Wm.
188 Flynn, Alfred.
189 Flynn, Daniel.
196 Fitzsimmons, M. J.

*Transfer to U.

198 Franke, Theo.
199 Fischer, Leopold.
338 Feltman, Chas. Jr.
359 Forrest, Joseph.
358 Farach, Frank.
364 Frischman, Morris.
366 Flock, Geo.
371 Finnerty, Jno.
380 Finn, James.
381 Freeman, Frank.
390 Freeman, John.
399 Flynn, John J.
505 Fisch, Henry.
515 Fagan, Thomas.
526 Fowler, John.
529 Finn, Thomas.
807 Ferguson, Joseph.
824 Flint, Charles.
825 Frischman, Julius.
834 Franklin, John.
903 Franks, Henry.
904 Fox, Joseph.
405 Ferris, Harry.*
436 Ferris, David.*
438 Fagan, Joseph.*
469 Foley, Thomas.*
495 Friganti, Gueseppi.*
508 Farley, James.
516 Fenton, Fred.
527 Finnigan, J.
534 Flynn, James.
562 Fleming, William.
578 Fox, Joseph.
606 Faurot, Theodore W.
618 Friedman, Noah.†
632 Frischman, Ignatz.
656 Fleshauer, Henry.
687 Farrel, Chris.
708 Fredericks, George H.
742 Fenton, Daniel.

* Mistaken page. † Refer to E.

745 Fischer, Max.
746 Fischer, Moritz.
44 Gorman, Joseph.
63 Gavin, John J.
211 Goodman, James.
212 Gorabes, Saul.
218 Galloway, Edward.
219 Garms, Richard.
220 Gondier, William.
224 Gorman, William.
225 Gerhart, Philip.
229 Graham, William.
230 Gondier, Al.
304 Gardner, Del.
404 Guberson, Andrews.
420 Griffin, Frank.
441 Gouger, Harry.
442 Garrison, Charles.
446 Gleason, James.
452 Glancy, John.
453 Gilchrist, Thomas.
454 Garvey, Richard.
460 Gumbrecht, Julius.
979 Goydel, Valentine.
605 Glenny, Geo. F.
627 Guilfoile, Benj.
628 Gallagher, James.
635 Gerhart, Louis.
655 Guisto, John.
701 Grashorn, Henry*.
715 Goldberg, Louis.
717 Garvey, John.
722 Gilmartin, Edward.
740 Gorman, Chas. J.
951 Griffin, John.
962 Gannigan, John.
965 Grace, Jos.
972 Greening, Conrad.
976 Grogan, Joseph.
980 Grant, Aleck.
987 Gordon, Thos.
994 Geary, Richard.

* Transfer to Q.

48 Hanna, Hugh.
67 Henry, T.
69 Hayes, S.
70 Humme, T. I.
71 Huckey, J.
72 Hebbs, J.
88 Hilger, J.
93 Hunt, Harry.
97 Henry, William.
103 Hickey, James.
104 Hograf, John.
110 Herne, Thomas.
115 Hammond, Van.
117 Holtsman, Wm.
121 Harris, Joseph.
320 Hoff, Henry.
321 Hamburg, Lewis.
339 Howard, George N.
352 Hanlinger, Andrew.
367 Henderson, Fred.
455 Hertby, Eugene.
457 Healey, Jeremiah.
509 Hayes, Gus.
517 Hall, John.
522 Harrigan, Terence.
523 Hayes, Wm.
528 Hess, Jake.
558 Hansen, John A.
638 Hansen, Andrew.
662 Hubert, Matthew.
693 Hock, Geo. W.
710 Hurley, Peter.
730 Hoffman, Richard*,
744 Harper, Andrew J.
752 Hall, John.
767 Howe, William.
779 Hogan, Michael.
786 Herlitz, Eugene.
952 Henshaw, Val.
963 Husche, Lewis.

---

*Transfer to V.

28 Inger, Fred.
57 Inman, John.
58 Insleman, Albert.
59 Island, William.
60 Inmic, Chas.
426 Ireland, Walter B.
974 Insley, John.
1288 Inner, Albert.
1323 Isles, William.
1341 Ireland, William.
105 Jacobson, Thos.
109 Johnson, Mascano*.
116 Jeffries, Wm.*
122 Jackson, Arthur*.
123 Jacob, Wm. J.*
127 Johnson, Wm. H.*
136 Jonas, James*.
140 James, Wm. H.*
149 Johnson, Rich'd*.
433 Jacob, Fred.
440 Judd, G. M.
458 Jacobs, William.
688 Johnson, Wm.
747 Jourdan, Augustine.
803 Joyce, Martin.
808 Johnson, Henry.
809 Jackson, Morris.
810 Johnson, Chas.
809 Jordan, Jas. P.
827 Jones, Wm.
835 Jennings, Robert.
844 Johnson, Chas.
852 Jennings, William.
1000 Johnson, Alf.
1014 Jardinon, H.
1146 Jones, John.
1148 Jones, Jannes.
1149 Janksen, Charles.
1154 Johnson, James.
1159 Jelmer, Amos.
1166 Jenson, H.

* Mistaken page — crossed off in original.

1169 Jones, William.
1170 Johnes, Charles.
1176 Jones, Harry.
1203 Johnson, Henry.
1219 Johnson, William.
1259 Jansen, William.
1261 Johnson, Charles.
1277 Jonas, George.
1284 James, William.
106 King, Thomas.
107 Kelly, L.
108 Kunze, John.
130 Kaiser, Harry.
137 Kenman, Patrick.
138 Kistermacher, Charles.
139 Koppel, Nathan.
143 Kast, Gus.
148 Kerwin, Ross.
8 Kelly, William.
66 King, Thomas.
152 Kelly, Joseph H.
165 Katen, Dan.
168 Keenan, James.
173 Kennedy, Thomas.
178 Kent, James F.
184 Kraft, Andrew.
190 Kane, Edward.
194 Kittle, Philip.
195 Kearney, James.
208 Kuehler, George.
209 Kleist, George.
216 Kennedy, William.
217 Kenny, Mark.
392 Kirshmer, Charles.
253 Kearns, John.
254 Kuehler, Louis.
259 Kelly, Richard.
266 Kane, Thomas.
270 Kennetha, Charles.
273 Kuistler, Fred.
278 Kahn, Murray.

431 Killey, James.
432 Kucher, John.
434 Kelly, Thomas.
449 Kane, Morris.
466 Klings, F. A.
472 Keese, James T.
483 Kauski, Joseph.
518 Kelly, James.
530 Kennedy, L. P.
531 Kelly, Robert.
543 Kane, Thomas.
546 Kenny, George.
559 Kingson, Alex.
564 Kleyla, Henry.
622 Knoblauch, Bern'd.
623 Katen, Garry.
650 Krieg, Barney.
666 Kennedy, Thomas.
734 Kemp, Wm. H.
736 Kuhn, Edward *.
753 Koops, Fred.
764 Koster, Henry.
765 Kessler, Frank.
772 Kirch, Charles.
773 Koster, Constantine.
780 Kappleman, Peter.
785 Kavanagh, John.
797 Kuhlman, William.

11 London, William.
32 Lampe, Fed.
76 Lipche, Paul.
77 Leslie, Lon.
78 Lent, John.
81 Levy, Francis.
82 Luddy, John.
5 Lyon, Wm.
144 Leland, Dan'l.
147 Langtry, Thos.
154 Lewis, John.

* Transferred to Mc.

157 Legleazr, Eleazer.
159 Levitte, Philip.
160 Leavitt, Victor,
169 Lewis, Michael.
177 Landers, John.
255 Larkaree, John.
256 Lane, Garret, sr.
257 Lane, Jos.
258 Lane, Abe.
265 Lohan, Con.
271 Littlejohn.
274 Lennon, Edward.
402 Lillis, Joseph.
428 Long, George.
435 Leamon, Edward F.
437 Lyndome, Richard.
445 Lynch, Edw'd.
450 Larkey, John *.
476 Lydon, John.
480 Little, William.
486 Loesing, Leo.
660 Lott, Geo.
676 Lauro, Stepano.
705 Lane, Frank.
719 Lawrence, George.
727 Livingston, Frank.
757 — 767 Levy, Jacobs.
761 Lawrence, Cyrus.
791 Lee, Lewis.

29 McGuiness, M. J.
30 McSebe, Sam.
39 McCready, John.
43 McNamara, Joe.
50 McIntyre, Lawrence.
51 McCurley, William.
74 McGilligan, John.
92 McCarthy, Thomas.
145 McCormack, Benjamin.
146 McCarthy, John.

---

*Transferred to N.

155 McMurray, A. W.
160 McClane, Sav.
161 McGann, William.
162 McDonald, William.
163 McCormack, Patrick.
164 McCarra, Nelson.
170 McGuire, Charles.
171 McCullough, James.
176 McDuval, Thomas.
188 McGee, Michael.
174 McCormick, Bernard.
175 McPherson, Sam.
179 McClain, Hugh.
180 McCullough, C. J.
181 McCormack, James.
182 McDonald, Thomas.
191 McClinchy, Thomas.
192 McCormack, George.
193 McGuire, Charles.
259 McGrath, Theodore.
260 McKee, David.
264 McGee, W. H.
274 McGann, Philip.
279 McConnon, Thomas.
285 McCarthy, William.
288 McCauly, W. P.
290 McGinly, Patrick.
297 McClure, E. L.
299 McCane, Patrick.
300 McKenna, John.
305 McGuire, Frank.
313 McCabe, John.
315 McNamara, Peter.
340 McMahon, James F.
346 McQuin, B. J.
354 McAvoy, Thomas.
375 McHenry, Daniel.
382 McAllen, Charles.
383 McGoven, J. J.
397 McGreve, C. F.
506 McCue, John.

536 McFadden, Thomas.
537 McCabe, J. P.
813 McIlviny, Noen.
814 McCormick, J. T.
822 McKee, S. G.
828 McCormack, John.
906 McGuire, John.
910 McGowan, James.
912 McKeebe, James.
919 McShayne, Charles.
922 McDermott, William.
1001 McJayes, John.
1004 McFadden, James.
1300 McAvey, Thomas.
1302 McMullin, Frank.
1316 McFeady, Patrick.
1427 McBresaty, John.
1501 McCarty, Daniel.
1511 McGuire, James.
1512 McCulluch, Henry.

15 Meyers, Hans.
19 Murphy, Charles.
20 Murray, Thomas.
21 Mullin, Daniel.
23 Meyer, Ger.
2 Muller, Ed.
52 Murray, Michael.
75 Mohn, Julius.
79 Murphy, Michael F.
83 Morgan, Joseph.
98 Massa, Toni.
247 Murphy, Charles.
261 Michel, Justine.
262 Mitchell, Tony.
263 Meyer, Charles.
267 Murray, Henry.
268 Moore, Thomas.
269 Muger, Geo.
272 Muohney, John.
275 Murphy, John B.

989 Kerman, Charles.
995 Kernan, Patrick.
999 Krouse, Edward.
1051 Kating, John.
1053 Kenny, Tom.
1063 Kenny, Frank.
1070 Kenny, W. P.
1084 Kruge, William.
1126 Kline, Frank.
1271 Karley, Morris.
1329 Kasmer, Otto.
1356 Kelly, Donald.
1367 Keightly, Ike.
1382 Kohler, Tom.
1391 Kavanagh, John.

276 Morlin, Patrick.
277 Marvney, William.
284 Mortimer, Edward.
429 Miller, John.
447 Murray, Joseph.
446 Meyers, Hermar.
465 Marterrello, Dom.
493 Madison, C. L.
496 Moss, Thomas.
532 Martin, Patrick.
539 Mason, Robert.
542 Moses, Joseph.
544 Maysch, Emy.
550 Mehan, George.
565 Melts, William.
572 Metzer, Bernard.
584 Martin, George.
586 Mayne, Morri.
544 Martin, Alexander.
595 Martin, John.
611 Maddox, Frederick.
639 Muller, Arno.
684 Murphy, John.
674 Moresco, Joseph.
673 Murphy, Michael.
689 Marle, James.
695 Murray, James.
712 Manning, William.
714 Morey, Lewis.
726 Mill, Frank.
755 Manning, Fred.
758 Moran, Thomas.
796 Moss, David.
817 Morse, Frank.
820 Martin, Alket.
821 Marcy, Warren.
829 Maloney, Pat.
831 Murphy, James.
836 Morrissy, Warren.
837 Morgan, Thomas.
846 Meyer, Fred.

907 Murphy. Ben.
916 Magee, Michael.
932 Mason, Gulius.
946 Morris, George.
957 Murphy, Pat.
1002 Marshall, John.
1016 Morse, Luther.
1102 Miller, George.
1210 Montague, James.
1222 Moran, Henry J.
1306 Mann, Engene F.
1315 Mannossonitz, Tony.
1324 Mand, James.
1340 Montgomery, William.
1343 Martin, Edward.
1347 Measik, James.
1350 Maddox, Joseph.
1362 Meyer, Al. F.
1370 Merserole, William.
1403 Middler, Charles.
1413 Martin, Ed.
1423 Muir, Angelo.
1424 Martarldi, Martello.
1425 Meyers, John C.
1438 Morresey, Edward.
1447 Manning, James.
1448 Manning, William.
1459 Mannossantz, Jaest.
1463 Murphy, Edward.
1464 Murtha, John W.
1470 Morgan, W. F.
1473 Mirick, Ernst.
1480 Meyer, George.
1489 Murphy, Thomas.
1492 Muller, John.
1493 Miller, Charles F.
1494 Meldun, John.
1502 Murphy, John.
1508 Malone, Charles.
1510 Murtha, Dick.

61 Newman, Wm.
280 Nabendahl, Chas.
281 North, Morris.
283 Newman, Geo. W.
286 Nelson, John.
289 Nugent, Chas.
292 Nagle, Jos.
295 Nages, Geo.
298 Nicholson, John
322 Nalton, Benj. J.
323 Noyes, Geo. Jr.
414 Nepross, Thos.
417 Newton, R. V. B.
423 Northen, Wm.
461 Ney, Edwin.
479 Napier, Fred.
481 Newton, Geo.
430 Napier, Wm. J.
540 Ness, Chas.
541 Neil, James.
545 Naphier, Peter.
551 Norris, J. W.
560 Nalton, Benj. J.
561 Norman, James.
617 Newman, Louis.
686 Nana, Fred.
707 Newton, H. A.
716 Newman, Benj.
782 Noble, Al.
787 Neppsen, Frank
838 Newman, R. E.
839 Newman, Geo.
847 Nelson, Robert.
854 Neoher, John.
859 Newbery, Pierce.
913 Nash, Silvester
920 Newton, Benj.
930 Neary, Martin.
939 Nicolas, John.
940 Nelson, John.

1064 Lang, Wm.
1074 Lohman, Henry.
1080 Langley, Oscar.
1095 Long, James.
1111 Lynch, John.
1121 Leslie, Arthur.
1125 Lyons, John.
1229 Lower, Jos.
1244 Lanther, Julius A.
1257 Lane, Geo.
1268 Last, Jacob.
1270 Lampson, Chas.
1311 Lane, Harry.
1328 Lorden, John.
1336 Lynch, Walter.
1352 Lohman, Conrad.
1369 Lester, Frank.
1373 Lyons, Thos.
1385 Long, Eddie.
1386 Lindstrone, Edward.

282 O'Reagan, John.
293 O'Toole, Mich.
294 Osselman, John.
296 O'Brian, John.
310 O'Donnele, J.
311 O'Rowe, Frank.
312 Obernlind, Cave.
324 Only, Tim. P.
325 O'Connor, Mich.
330 O'Brion, Leo.
424 O'Connor, P. J.
425 Olone, Thos.
427 O'Lone, John.
478 O'Brien, Michael,
601 Olive, Geo. A.
633 Overton, Chas. C.
735 O'Connor, D. J.
771 O'Day, John.
775 Olecher, Otto.
793 Orchard, Saml.
840 Oloan, Andrew.

841 O'Loane, James.
842 O'Neil, Michel.
843 Owens, M. C.
848 O'Brien, Daniel.
855 O'Mera, Thos.
858 O'Stella, Alonzo.
863 O'Meis, Daniel.
861 Oso, James.
864 Oleson, Ole.
871 O'Boor, E.
923 O'Brien, Peter.
929 O'Connor, John.
933 Oliver, Narry.
938 O'Neil, Mich. F.
1005 O'Brion, John, Jr.
1006 O'Rourke, Jos.
1013 O'Connor, James.
1017 O'Connor, Henry.
1509 Owen, Mort C.

6 Poppor, Jos.
31 Popper, Herman J.
37 Pallumeri, James.
41 Parisar, Solomon.
331 Phillips, E. W.
332 Pilgrim, Chas. P.
333 Palumerri, John.
335 Peters, Tony.
341 Padden, Geo.
342 Perry, Phillip.
345 Peter, Samuel.
355 Peterson, Alex.
356 Phillips, Peter.
360 Perkins, Wm.
406 Portengale, James.
418 Powers, Mich.
443 Phillips, James.
552 Peterson, Fred.
553 Pulschen, John.
566 Purcell, M.
567 Peenillo, Angelo.

573 Phillip, Peter.
574 Paul, Andrew.
575 Powers, Martin.
615 Palmer, Geo.
636 Putnam, Ernest.
670 Pariser, Joseph.
681 Patrusi, Antoni.
692 Pariser, Selig.
760 Parker, John.
762 Peterson, Chas.
849 Primley, Pat.
850 Puhl, Bernard.
851 Perry, Jos.
856 Peterson, Geo.
857 Pelte, Henry.
865 Pritchard, John.
872 Phillips, Dan.
873 Picciridollo, Angelo*.
886 Paff, Fred.

45 Quigley, James F.
669 Quil, Abe.
694 Quigley, James.
698 Quinn, Patrick.
709 Quinn, Cornelius.
733 Quintern, Edward.
866 Quintern, Oscar.
871 Quinn, James.
873 Quinn, Charlie.

998 Griffen, James F.
1011 Goldlier, David.
1021 Guisto, Maddock.
1031 Gurnay, Geo.
1049 Greves, Chas.
1052 Graham, Thos.
1054 Gorman, Geo.
1061 Guerney, George.
1068 Gansleman, Henry.
1069 Gardis, Frank.
1081 Greghold, Geo.

---

*Transferred to W.

1094 Glassy, Thos.
1109 Groves, Robert.
1114 Gavino, John J.
1118 Griffin, John T.
1128 Gallohyer, W. L.
1129 Gallohger, Fred.
1136 Gansleman, Henry K.
1145 Guerra, Luigga.
1151 Gregory, E.
1202 Glassy, Edward.
1239 Grogan, Edward.
1254 Gardnier, Hugo.
1265 Gahns, Conrad.
1303 Greening, Conrad.
1304 Garrison, John H.
1313 Grose, Chas.
1454 Goodman, Frank.
1466 Goldstein, Samuel.

3 Ryan, M. P.
36 Russo, John.
336 Riley, John.
337 Roll, Henry.
343 Regan, James.
344 Ragan, Martin.
349 Ruissan, Geo.
350 Reisenberg, Louis.
351 Ruggiro, T.
361 Reames, Wm.
362 Rusner, Henry.
363 Reice, Ernst
413 Riley, Edward.
451 Rauscher, Martin.
576 Robbins, Foster.
577 Reegan, David.
581 Redmond, Andrew.
587 Ruissa, John.
589 Ryan, W. H.
595 Reed, James.
612 Roberts, Eph.
640 Rubin, Morris.

641 Rugierro, Antonio.
643 Rugierro, Antonio.
675 Ryan, Geo.
739 Rothschild, Herman.
783 Raymond, Fred.
867 Ryan, Thos.
868 Russo, Giovani.
873 Raymond, Wm.
885 Ryan, Lawrence.
895 Robinson, John.
1046 Riley, Jos.
1058 Rins, John.
1072 Raymond, Wm.
1089 Rich, Rudolph.
1091 Riley, Geo.
1092 Ryan, Daniel.
1104 Riddle, John.
1116 Raymer, Wm.
902 Ravenhall, Peter.
903 Ravenhall, Richard.
1118 Reeze, Philip.
1212 Roberts, Charles.
1216 Reegan, Martin.
1124 Rosenberg, Meyer.
1132 Reiners, Julius,
1138 Roth, Adolph.
1224 Roy, William.
1236 Roach, William R.
1248 Raymond, Mike.
1263 Ringer, Charles.
1267 Ray, John.
1273 Riley, John.
1280 Rothschild, Herman.
1283 Rowes, Charles.
1287 Robeck, Chris.
1307 Reardon, Thomas.
1314 Remsen, Thomas.
1320 Rowark, J.
1308 Ross, W.
1309 Ross, J.
1310 Ross, T.

1404 Rickers, Fred.
1405 Rickers, John.
1428 Ray, David.
1429 Ryan, James.
1430 Reanhor, Alph.
1431 Rourke, Thomas.
1439 Rourke, Andrew.
1446 Reubenstein, Bernard.
1449 Rausch, William.
1458 Rugierro, Luiggo.
1496 Roberts, Eph. M.
1497 Rahmes, Alex.
1499 Reis, John H.

1 Sutherland, K. F.
10 Steffens, Charles.
13 Sutherland, R. J.
24 Smith, William.
7 Stubbenbord, Conrad, Jr.
33 Sweeney, B. J.
38 Smith, John A.
47 Schaffer, Reuben.
94 Storms, Theo.
207 Simonson, J.
243 Smith, Ed.
244 Sherlow, John.
368 Smith, Ben.
369 Sullivan, John.
372 Smith, John.
376 Saville, John.
377 Sand, Abraham.
378 Swift, Eugene.
379 Stanton, John.
384 Suthpfen, Theo.
385 Stone, William.
386 Sommerset, F.
387 Stillwell, J.
388 Stauch, Otto.
389 Stone, Harry.
582 Sheridan, James.
583 Shea, Jerry.

585 Sweeney, Daniel.
588 Savaressa, Antonio.
590 Scanlon, Fred.
591 Sullivan, Patrick.
592 Smith, Henry.
874 Seffert, Chas.
887 Schiller, David.
889 Sadler, Jos.
894 Stephing, Morris.
899 Smith, Ed.
900 Steffens, Edward.
924 Selling, Robert.
928 Stair, Fred.
403 Sturdevant, Harry.
407 Smith, Moses R.
409 Smith, John.
410 Shannon, Edward.
411 Sulver, Junior.
419 Samuels, Gus.
444 Sailor, Chas.
456 Stillwell, John H.
459 Stein, Samuel.
491 Spitz, Wm.
492 Shay, Patrick.
497 Stearns, Lewis E.
984 Squires, Jos. H.
941 Schriefer, C.
942 Schriefer, W.
943 Savare, Frank.
944 Seims, Frank.
958 Still, Silas.
966 Shaw, Wm.
971 Sinclair, James.
985 Stewart, Chas.
991 Serloin, Mich.
1003 Stiltz, Ernst.
1007 Smith, Wm.
613 Shaw, L. D.
626 Stubenbord, Con.
634 Savarasso, Antonio.
649 Sheridan, James.

651 Shields, Chas. A.
654 Sheehan, Eugene.
657 Shiffman, Henry.
661, Sherman, Alex.
677 Stratman, Lewis.
678 Seaman, Fred.
691 Strube, Henry.
696 Stauch, Louis.
697 Schweikert, Philip.
699 Sturgis, L.
704 Sutphin, Thomas.
711 Scarpati, Louis.
738 Swift, Eugene.
743 Stein, L. E.
769 Sander, John H.
770 Schweiger, Charles.
788 Smith, J.
789 Shirley, James.
792 Silver, Isaac.
1008 Smith, Leary.
1018 Steede, Robert.
1022 Shields, Charles.
1028 Sullivan, Joseph.
1033 Skelly, Frank.
1037 Stein, Austen.
1042 Sweeny, Dan.
1045 Sullivan, Dennis.
1058 Sickles, Joseph.
1105 Stacy, Frank.
1107 Shay, Michael.
1117 Seymour, Andrew.
1123 Stein, Samuel.
1127 Steffen, Edward.
1131 Shipman, John.
1143 Schwerkert, Fred.
1150 Sanguinetta, James.
1162 Sullivan, Jerry.
1166 Scharper, James.
1171 Scanlon, Thomas.
1179 Stack, Thomas.
1184 Stewart, David.

1185 Stewart, Everett.
1186 Stewart, E. C.
1197 Sullivan, Michael.
1211 Sheehan, Thomas.
1217 Sullivan, Morris.
1209 Scarpati, Louis.
1157 Scarplari, Joseph.
1174 Seymour, Andrew.
1175 Steiniger, Cornelius.
1189 Steet, Charles.
1223 Smith, Samuel.
1225 Smith, Morris.
1233 Spydf, William.
1241 Sanderson, Sam.
1286 Smith, James.
1289 Smith, Fred.
1294 Sperlock, John.
1359 Salmon, Sam.
1190 Stone, Theodore.
1192 Sweeney, John.
1194 Sanguinetto, Antonio.
1196 Snath, Otto.
1199 Steffins, Louis.
1204 Silverman, Ignatz.
1279 Schultz, Charles.
1281 Schroeder, Charles.
1291 Saunders, Charles.
1296 Sullivan, Michael.
1297 Stack, John.
1318 Smith, Frank.
1319 Smith, Fred.
1325 Skelly, John.
1358 Schwartz, George.
1360 Seabury, Alfred.
1378 Straus, Charles.
1414 Schrell, Max.
1503 Staubler, Michael.

55 Tobin, William.
205 Tretch, John.
206 Towhey, John.

221 Thausen, John C.
240 Tobin, Edward.
471 Thompson, James.
596 Tully, Charles.
599 Thornston, Charles.
625 Tansy, Michael.
645 Taylor, Frank.
703 Tally, C. L.
728 Tilyou, George.
869 Terra, Antonio.
870 Tichoner, Edward.
875 Ticket, Arthur J.
876 Tice, Charles.
877 Tice, Ally.
884 Tucker, Steven.
888 Thorp, Henry.
896 Todd, James.
898 Teckner, Henry.
914 Tannabum, Q.
915 Thomas, E. E.
925 Taylor, Thomas.
926 Turner, Joseph.
927 Trainor, William.
1024 Taggart, George.
1029 Toner, H. H.
1037 Tobin, Thomas.
1044 Toppen, George.
1106 Thompson, William.
1113 Thompson, James.
1118 Taylor, Arthur.
1177 Tansy, James.
1188 Tompkins, H. R.
1191 Thornen, Henry.
1195 Taylor, Frank.
1249 Teidman, Frank.
1264 Thompson, John.
1274 Tompkins, Mat.
1326 Toohey, John.
1333 Triclease, Edward.
1415 Tighe, Edward.
1416 Terral, James.

1440 Taylor, Wm.
1441 Taylor, John.
1450 Terrill, Pat.

1066 Finnegan, James E.
1067 Finnegan, John F.
1075 Fitzpatrick, Al.
1082 Fitzgerald, Dan.
1085 Farnett, Wm.
1093 Foster, Samuel.
1108 Flynn, Richard.
1113 Ferguson, John.
1122 Farweather, Arthur.
1137 Farman, James.
1227 Fay, Pat.
1231 Frant, Wm.
1237 Flynn, Thos.
1258 Fortune, John.
1266 Flannigan, Jas. F.
1312 Flynn, Alfred.
1331 Flannder, Leo.
1338 Farman, Jas.
1353 Fitzsimmons, John.
1371 Flynn, Richard.
1389 Fox, Thomas.
1393 Farroschi, Edward.
1397 Famasch, S.
1445 Forhn, John.
1468 Frank, Julius.
1478 Finlay, James.

26 Vallet, J. H.
202 Vielitz, Julius.
203 Vendril, Geo.
204 Von Leon, Isaac.
391 Veltman, John A.
396 Voorhies, Peter.
393 Valentine, Wm.
464 Von Heller, Richard.
484 Vrooman, Geo.
597 Vemrich, Emil.

598 Venetti, Chas.
600 Van Duyn, John G.,
644 Von Fricken, Wm.
687 Vansicklen, Ak.
690 Von Wigan, Fred.
721 Van Geishig, Max.
878 Verridistra, Wm.
883 Vantalo, Thos.
890 Van Buskirk, Moses.
896 Vinrich, Manuel.
1406 Van Sicklen, L.
1407 Vanness, P. J.
1408 Vanness, T.
1441 Voght, Edward.
1451 Van Buskirk, Chas.
1464 Verna, Joseph.
1479 Voorhies, Peter.

970 Hessleton, G.
978 Hessonburg, Max.
982 Herney, Thos.
986 Hanson, Isador.
990 Hoffman, J.
996 Hueys, Frank E.
1026 Hope, Samuel.
1031 Hoga, Martin.
1050 Hallvays, Chas.
1062 Hurrbut, John R.
1065 Hess, Jacob.
1077 Hermon, Samuel.
1079 Heinslaw, J. L.
1087 Halmon, Geo.
1099 Hogroff, John.
1110 Hazelton, Geo.
1119 Halman, Louis.
1134 Howard, Frank.
1135 Howard, H. E.
1147 Holyer, Andrew.
1152 Hall, Chas. H.
1153 Hall, Wm. H.
1156 Hill, Waverly.

1158 Hill, John J.
1160 Holman, Max.
1167 Herman, Chas.
1172 Harris, Chas.
1173 Harris, B. E.
1178 Hessman, C., sr.
1187 Hazzard, John.
1193 Hogan, Martin J.
1198 Herman, Paul.
1206 Herrick, Samuel.
1215 Harmond, Fred.
1220 Hirsch, Henry.
1238 Hoffman, Philip.
1242 Herreman, Frank.
1247 Hallon, John.
1256 Holmes, Chas.
1262 Heins, Jas.
1269 Hoffman, Fred.
1276 Hayes, P. J.
1282 Henessy, Thos.
1291 Hammond, Ernst, Sr.
1295 Hannigan, Thos.
1298 Harper, H. A.
1349 Harris, Jacob.
1355 Hoffman, Richard C.
1351 Hope, Samuel.
1372 Husee, Samuel.
1377 Harron, Howard H.
1381 Halley, Leo.
1387 Harrigan, Edward.
1390 Houser, Max.
1394 Hongri, Cranford.
1398 Harris, George.
1456 Holtzer, Andrew.
1467 Birkle, William.
1469 Balzione, Joseph.
1484 Burns, William.
1510 Beyer, Chas.

1076 Perry, Mefred.
1078 Perry, Robert.

1086 Putnam, E. F.
1098 Patternio, Antonio.
1100 Phillip, John.
1112 Purcell, Nat.
1120 Powell, John.
1124 Putnam, Ernst.
1130 Parslee, John.
1139 Perry, William.
1144 Piehl, Bernard
1155 Powers, William.
1161 Prentice, Antonio.
1168 Perry, Richard.
1228 Parker, Louis.
1230 Parker, J. F.
1234 Payne, George.
1246 Pleer, Harry.
1251 Puley, Luck.
1255 Pietro, Armond.

4 Welty, Henry.
35 Webb, George
201 Wood, Tho. J.
210 Walsh, Patrick.
211 Ward, Patrick.
241 Wagner, William.
242 Wilkson, Samuel.
412 Wade, John.
439 Woodcok, Thomas.
463 Wise, Chas.
473 Wolf, Aleck.
477 Wallcot, E.
408 Wigg, Nathan.
608 Williams, James.
616 Wade, Joseph.
620 Webb, James.
621 Waehter, Morris.
624 Williams, F. H.
648 Williams, J. J.
658 Wood, Harry H.
665 Williamson, S. S.
685 Wright, John W.

720 Wacke, Herman.
751 Wilkins, Geo. A.
759 Wilson, Howard.
777 Ward, John E.
879 Walsh, Frank.
891 Winfred, Wm. H.
892 Wood, James.
897 Woglrom, Chas.
935 Washauer, Jos.
936 Washauer, Bernard.
947 Wolf, Geo.
955 Wise, Max.
1009 William, Alleck.
1012 Walling, Geo.
1020 Woodruff, Wm.
1038 Wilei, J. A.
1047 Williams, F. H.
1054 Witherall, John.
1059 Williams, Jos.
1073 Williams, Jos.
1096 Weber, Wm.
1327 Wright, Edward.
1334 Wolf, Henry.
1348 Wallace, Edward.
1364 Welsh, Daniel.
1365 Welsh, Wm.
1408 Woodlin, John.
1409 Williams, Thomas.
1417 Worthman, John.
1452 Wilson, J. H.
1465 Wersile, J. W.
1474 Wight, Chas. F.
1481 Walter, Conrad.
1486 Williams, Fred.
1487 Williams, Wm.
1504 White, John.
1507 Washauer, Jacob.
1506 Washauer, Thilly.
1505 Washauer, Eddie.

27 Yarrington, J. F., Jr.
85 Yarrington, Chas.

86 Yarrington, W. R.
416 Yong, Hugh.
653 Youngs, Geo.
880 Yarrington, Jas., Sr.
881 Yoeko, Thos.
882 Young, Jack.
1418 Yonck, John.
1442 Young, Joseph.
1453 Young, Geo.
1457 Yonges, Chas.
1455 Young, George.
1475 Yarrington, Joseph.
1482 Yost, W. H.

1214 Barker, Charles C.
1226 Bennet, H. C.
1235 Bachelor, Sam.
1243 Balsomo, Joseph.
1252 Burns, Andrew.
1260 Bently, George.
1272 Baron, Ed.
1278 Buskie, Charles.
1285 Bartegan, Michael.
1290 Benson, Stephen D.
1293 Baily, John.
1299 Bennet, Michael.
1339 Bessils, Henry.
1344 Baso, James.
1351 Brugier, Andreaw.
1374 Brennan, Timothy.
1379 Brewster, Charles.
1380 Brewster, James.
1384 Buselman, A. D.
1253 Brady, James.

732 Zann, John.
908 Zayer, August.
1040 Zimmerman, Frank.

1388 Brenstine, Charles.
1392 Beddel, William.
1395 Bradley, Mills.

1396 Burns, John.
1399 Bohmer, George.
1434 Below, Fred.
1443 Brandestella, Phil.

Poll List Kept by the Poll Clerks in the Third Election District of the Town of Gravesend at the General Election Held in said Election District, on the 7th day of November, 1893.

Board of Inspectors.

Name.	Residence.
Frederick E. Bader	Coney Island
Benjamin Cohen	Coney Island
V. Bausenwein	Coney Island

Ballot Clerk.

Joseph Macius	Surf Avenue, Coney Island

Poll Clerks.

William H. McMahon	Railroad Avenue, Coney Island
M. T. Reilly	Coney Island

Ballot No.	Names and residence of voters.	Box. 1	2	3
1	Louis Aronson, West Third street	1	1	1
2	James Dwyer, Boulevard	1	1	1
3	Solomon Love, Park Place	1	1	1
4	Baldwin Hobby, West Fifth street	1	1	1
5	Oliver Bannon, Coney Island	1	1	1
6	John Daniels, Boulevard	1	1	1
7	Albert Knox, Coney Island	1	1	1
8	A. R. Coles, Coney Island	1	1	1
9	Wm. Eberhardt, Cortland street	1	1	1
10	Jas. Clevand, Park Place	1	1	1
11	W. T. Hall, West Third street, Coney Island	1	1	2
12	H. Henderson, Cortland street	1	1	1
13	Thos. Kline, Park Place	1	1	1
14	Oscar Quimby, Race Track	1	1	1
15	Arnold Sweet, West Fifteenth street	1	1	1
16	John G. Fredericks, West First street	1	1	1
17	Thomas German, West First street	1	1	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
18	Grigold, George, Coney Island			
19	Francis Orth, Sheepshead Bay Road			
20	Michael Powell, Boulevard			
21	William Pardee, West Third street	1	1	1
22	Emil Hansen, Neptune avenue	1	1	1
23	James Hunter, West First street	1	1	1
24	Albert Rollins, Neptune avenue	1	1	1
25	Charles Tennyson, Race Track	1	1	1
26	John Rogers, C. I	1	1	1
27	William Dungan, Park Place	1	1	1
28	Charles Atkinson, C. I	1	1	1
29	Daniel O'Connor, C. I	1	1	1
30	Philip Jones, West Fifth street	1	1	1
31*				
32*				
33*				
34*				
35*				
36	James Boyle, C. I	1	....	1
37	George C. Dangman, West Third street	1	....	1
38	C. F. Witzman, Sheepshead Bay road	1	....	1
39	William Dotian, C. I	1	....	1
40	C. H. O'Neil, Sheepshead Bay road	1	....	1
41	Frank Gallagher, West Eighth street	1	...	1
42	F. E. Badger, Sea Breeze avenue	1	....	1
43	Joseph Masais, C. I	1	....	1
44	Charles Farmer, C. I	1	....	1
45	Thomas Burns, Park Place	....	....	...
46	John Spotze, Sheepshead Bay road	1	....	1
47	William H. McMahon, Railroad avenue	1	....	1
48	M. T. Riley, Park Place	1	....	1
49	Frank Kunze, Sheepshead Bay road	1	....	1
50	James Dumas, Boulevard	1	....	1
51	Benjamin McGray, Railroad avenue	1	....	1
52	Louis Keuhler, West First street	1	....	1
53	Joseph Sutherland, Cortland street	1	...	1
54	Peter Rumpf, Village	1	....	1
55	Ben. Cohen, Surf avenue	1	....	1

*Five ballots missing.

Ballot No.	Names and residence of voters.	Box. 1	2	3
56	Valentine Bausenwein, West Eighth street	1	....	1
57	Patrick Baumer, West Fifth street	1	....	1
58	Ernst Buchanen, Race Track	1	....	1
59	James Fleming, Boulevard	1	....	1
60	John Graham, C. I	1	....	1
61	James Kernan, Railroad avenue	1	....	1
62	George Lamb, C. I	1	....	1
63	Andrew Proudfit, Surf avenue	1	....	1
664	John Park, C. I	1	....	1
65	Andrew Stovers, West Fifth street	1	....	1
66	Robert Tyson, Race Track	1	....	1
67	Charles Tormey, C. I	1	....	1
68	F. Hillgart, Boulevard	1	....	1
69	John Barton, C. I	1	....	1
70	Herman Haupt, C. I	1	....	1
71	Malby Stepans, West First street	1	....	1
72	Jesse Abrahams, West First street	1	....	1
73	John Gibbons, C. I	1	....	1
74	Daniel Croy, West Third street	1	....	1
75	James Nelson, Sheepshead Bay road	1	....	1
76	Thomas Sommerville. C. I	1	....	1
77	Martelle Manzino, West First street	1	...	1
78	Louis Hellenberg, Park Place	1	....	1
79	John Atkins, West Third street	1	....	1
80	Michail Lawlor, West Third street	1	....	1
81	Adolph Weiner, C. I	1	....	1
82	Wm. Hilliard, C. I	....	....	....
83	Petter Cumming, C. I	....	....	....
84	John Schrieber, West First street	1	....	1
85	Michael Lovett, Park place	1	....	1
86	Dennis Driscoll, West Fifth street	1	....	1
87	Edward Davenport, Arcade	1	....	1
88	Henry Everett, Arcade	....	....	....
89	John Monahan, C. I*	1	....	1
90	Michael Vase, Surf avenue*	1	....	1
91	Michael Downs, Arcade†	1	....	....
92	Jas. Schwartzenberg, C. I	1	....	1
93	Richard Churchill, Boulevard	1	....	1

*Assisted by H. Ferris. †Assisted by F. E. Bader.

Ballot No.	Names and residence of voters.	Box. 1	2	3
94	Geo. Knight, Race Track	1	....	1
95	William Wise, Race Track	....	....	....
96	Ben. Franklin, Race Track	....	....	....
97	John Butts, Race Track	....	....	....
98	Wm. Lynch, C. I	1	....	1
99	T. J. Flint, West Eighth street	1	....	1
100	A. H. Battersby, Neck road	1	....	1
101	John Whalen, Cortland street	1	....	1
102	Jas. Vernon, C. I	1	...	1
103	Charles Childs, Race Track	1	....	1
104	Charles Farrington, Coney Island	1	....	1
105	Thomas Boyle, Race Track	1	....	1
106	Ed. B. Noyes, S. H. B. Road	1	....	1
107	Charles Jurgensen, West First street	1	....	1
108	M. Vaccas, West First street	....	....	....
109	Ambrose Rickman, Railroad Avenue	1	....	1
110	W. F. Cole	1	....	1
111	Charles Hoffman, West First street	1	....	1
112	James Hagerty, West First street	....	....	....
113	Pat Meehan, Race Track	1	....	1
114	James Keegan, Neptune Avenue	1	....	1
115	Michael Dempsey, Coney Island	1	....	1
116	William Long, Coney Island	....	....	....
117	M. Cigarette, Coney Island	....	....	....
118	Stephen Denton, Boulevard	1	....	1
119	James Bernard, Coney Island	1	....	1
120	John Ennis, Coney Island	1	...	1
121	James Quinlan, Railroad avenue	1	....	1
122	Martin Endover, West Third street	1	....	1
123	George M. Blackwell, Railroad avenue	1	....	1
124	Karl Epping, Railroad avenue	1	....	1
125	Charles Baldwin, Coney Island	1	....	1
126	William Heins, Coney Island	1	....	1
127	William H. Bennett, Race Track	1	....	1
128	Thomas King, West First street	1	....	1
129	Charles Buser, West Fifth street	1	....	1
130	Oscar Treadwell, Boulevard	1	....	1
131	Nellson Homer, Race Track	1	....	1
132	James Cando, West Fifth street	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
133	Louis Neumann, Coney Island	1	....	1
134	William Bryant, Surf avenue	1	....	1
135	Louis Leonhard, Park Place	1	....	1
136	Israil Simmons, Park Place	1	....	1
137	Hugh Dorsheimer, Village	1	....	1
138	Timothy McFeney, Coney Island	1	....	1
139	Isaac Sommers, Park Place	1	....	1
140	Peter I. Anderson, Railroad avenue	1	....	1
141	James Ferrath, Coney Island	1	....	1
142	Domingo Moro, West First street	1	....	1
143	George Wilkinson, Sheepshead Bay road	1	....	1
144	Benjamin Brunberg, Coney Island	1	....	1
145	Adolph Overmeyer, Coney Island	1	....	1
146	William English, Coney Island			
147	John McGovern, West Eighth street	1	....	1
148	Joparo Genaro, Coney Island	1	....	1
149	Miles Ross, Neptune avenue	1	....	1
150	Samuel Weeks, Coney Island	1	....	1
151	Burt. Townsend, West First street	1	....	1
152	Thomas Alfred, West First street	1	....	1
153	Ed. Terbuck, West First street	1	....	1
154	George Valentine, Coney Island	1	....	1
155	Joseph Butler, Neck road	1	....	1
156	Thomas Evans, Coney Island	1	....	1
157	Michael Loughlin, Park Place	1	....	1
158	Frank Weir, Coney Island	1	....	1
159	Ed. Varick, Sheepshead Bay road	1	....	1
160	James Ast, West First street	1	....	1
161	Andrew Dubois, Coney Island	1	....	1
162	Dennis Murtagh, Coney Island	1	....	1
163	Gustave Heidelberg, West First street	1	....	1
164	Henry Sands, Sheepshead Bay road	1	....	1
165	Anton Love, West First street	1	....	1
166	Cornelius Van Winkel, village	1	....	1
167	Adam Kissinger, Coney Island	1	....	1
168	James Alberts, Race Track	1	....	1
169	Antonio Flower, West Third street	1	....	1
170	John Willer, Race Track	1	....	1
171	David Vane, Sheepshead Bay road	1	....	1

Ballot No	Names and residence of voters.	Box. 1	2	3
172	Frank Foster, West First street	1	....	1
173	Louis Alphine, Coney Island	1	....	1
174	Michael Cronin, Surf avenue	1	....	1
175	Matthew Horton, West Brighton	1	....	1
176	Martin Kingsleys, Boulevard	1	....	1
177	Frank King, West Fifth street	1	....	1
178	Charles Dorsey, Park place	1	....	1
179	Alfred Degraw, village	1	....	1
180	Martin Manning, Park place	1	...	1
181	Robert White, Boulevard	1	....	1
182	August Kuhn, Surf avenue	1	....	1
183	E. Crosby, Cortland street	1	....	1
184	Charles Engelhard, Coney Island	1	....	1
185	Robert Finley, Coney Island	1	....	1
186	Bernard McNulty, Railroad avenue	1	....	1
187	Burrell Dennison, Race Track	1	...	1
188	Gustav Neithardt, Surf avenue	1	....	1
189	Hurrell Denoff, Coney Island	1	....	1
190	Maurice Greenbaum, West First street	1	....	1
191	James Green, Railroad avenue	1	....	1
192	Harvey London, park place	1	....	1
193	John Melder, Coney Island	1	....	1
194	Patrick Reardan, Coney Island	1	....	1
195	Fred Steffins, Boulevard	1	....	1
196	Patrick Farrell, village	1	....	1
197	William T. Brady, West First street	1	....	1
198	Frank Albert, Surf avenue	1	....	1
199	Frank Goode, Park place	1	....	1
200	William Osen, Coney Island	1	....	1
201	John Smith, C. I.	1	....	1
202	Chas. Voorhies, Village	1	....	1
203	Pat. McDonald, West First street	1	....	1
204	John Harding, West Third street	1	....	1
205	Geo. Sailor, Boulevard	1	....	1
206	Fred. Sechling, S. H. B. road	1	....	1
206	Jos. Goodfellow, New street	1	....	1
208	Peter O'Riely, Park place	1	....	1
209	Jas. Reede, Park place	1	....	1
210	J. Hennesey, Surf avenue		....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
211	Frank May, West First street	1	....	1
212	John Williams, Neptune avenue	1	...	1
213	John Griffin, Boulevard	1	...	1
214	Andrew Burns, C. I	1	....	1
215	William Kelly, S. H. B. road	1	....	1
216	John Remmington, Surf avenue	1	....	1
217	John Lowery, C. I	1	....	1
218	Chas. E. Harman, Cortland street	1	....	1
219	M. S. Hecht, Park place	1	...	1
220	Matthew Lane, West Fifth street	1	....	1
221	Chas. Melder, Boulevard	1	....	1
222	J. B. Houten, Surf avenue	1	....	1
223	Chris. Naventhall, R. R. ave. or West Third st.	1	....	1
224	James Long, R. R. avenue	1	....	1
225	John Caldwell, race track	1	....	1
226	E. J. Kneisel, Coney Island	1	....	1
227	William Penn, race track	1	....	1
228	Isaac Smith, Coney Island	1	....	1
229	William Wachter, Surf avenue	1	....	1
230	Daniel Curtis, Coney Island	1	....	1
231	Fred Lewis, Coney Island	....	....	....
232	John Morton, Coney Island	....	....	....
233	Joseph North, Park place	1	....	1
234	John Shipman, West Third street	1	....	1
235	Frank Knace, Coney Island	1	....	1
236	William Cosgrove, Neck road	1	....	1
237	John Kenny, race track	1	....	1
238	George Murray, Coney Island	1	....	1
239	Harry Winters, Surf avenue	1	....	1
240	Jas. Whipple, Coney Island	1	....	1
241	Walter Love, race track	1	....	1
242	Matthew Ennis, S. H. B. road	1	....	1
243	Conrad Havermeyer, Coney Island	1	....	1
244	John S. Morton, Coney Island	1	....	1
245	Merman Meyer, Park place	1	....	1
246	Hugh Powers, Coney Island	....	....	....
247	Joseph Shuman, Park place	1	....	1
248	Patrick Griffin, Boulevard	1	....	1
249	William T. Coles, West First street	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
250	Robert Alen, R. R. ave	1	....	1
251	J. Mallory, Coney Island	1	....	1
252	Walter Heavy, Village	1	....	1
253	John Miller, Coney Island	1	....	1
254	Elbert Smith, Boulevard	1	....	1
255	Charles H. Herman, Neptune ave	1	....	1
256	Alexander Carlton, West First street	1	....	1
257	Frank Hoey, Park place	1	....	1
258	Philip Neumank, Park place	1	....	1
259	Roderick Tickburn, Boulevard	1	....	1
260	Jacob Weise, Arcade	1	....	1
261	John Coleman, Coney Island	1	....	1
262	William Edwards, Neptune ave	1	....	1
263	Jacob Willis, Coney Island	1	....	1
264	Hugh Tannery, Coney Island	....	....	....
265	Herman Darin, Park place	1	....	1
266	William Fosburg, Arcade	1	....	1
267	James Ives, Coney Island	1	....	1
268	William Leroy, Coney Island	....	....	....
269	John Quigley, race track	1	....	1
270	Jas. Everett, Park place	1	....	1
271	Robert Gabsdel, Surf ave	1	....	1
272	David Fristine, Coney Island	1	....	1
273	Charles Fason, Park place	1	....	1
274	Charles Lukey, R. R. ave	1	....	1
275	Thos. Crane, Coney Island	1	....	1
276	Ernest Krugge, S. B. ave	1	....	1
277	Chas. Kessig, Coney Island	1	....	1
278	Jas. F. Murphy, race track	1	....	1
279	James Middeton, race track	....	....	....
280	B. Oliver, race track	....	....	....
281	Robert Patton, Coney Island	1	....	1
282	Pat. Quigley, race track	1	....	1
283	John Reid, Coney Island	1	....	1
284	Reuben Scott, race track	1	....	1
285	George Sears, Boulevard	1	....	1
286	Henry Floyd, Coney Island	1	....	1
287	Thos. Foster, Coney Island	1	....	1
288	Pat. Fitzgerald, Coney Island	....	....	....

Ballot No.	Names and residence of voters.	Box. 1	2	3
289	M. Lennon, Coney Island	....	....	....
290	Geo. Leach, Boulevard	1	....	1
291	H. Nelson, West Third street	1	....	1
292	Jas. Panwalle, West Third street	....	....	....
293	W. Tusith, West Third street	....	....	....
294	A. Davis, West Third street	....	....	....
295	Sayles Durfee, West Third street	....	....	....
296	I. P. Dams, West Third street	....	....	....
297	B. Edwards, West Third street	....	....	....
298	P. Elsinore, West Third street	....	....	....
299	F. Renis, West Third street	....	....	....
300	John Grede, West Third street	....	....	....
301	Thomas Dowd, Neptune avenue	1	....	1
302	Richard Hasse, Sheepshead Bay road	1	....	1
303	Samuels Daniels, Park place	1	....	1
304	Jerry Allen, Sheepshead Bay road	1	....	1
605	Edward Hughes, Sheepshead Bay road	....	....	....
306	Max Effenheim, Park place	1	....	1
307	Isaac Blackman, Park place	1	....	1
308	Charles P. Johnson, First street	1	....	1
309	Charles King, Surf avenue	1	....	1
310	Joe Faris, Park place	1	....	1
311	John H. Johnson, Boulevard	1	....	1
312	Charles Hammer, Surf avenue	1	....	1
313	J. O. F. Hill, Surf avenue	....	....	....
314	John Fisher, Surf avenue	....	....	....
315	C. E. Morson, S. B. avenue	1	....	1
316	Rudolph Manche, West First street	1	....	1
317	Hermau Hoburg, Park place	1	....	1
318	Antoni Palasman, Park place	....	....	....
319	William Fowler, West First street	1	....	1
320	Carnew, John, Coney Island	1	....	1
321	Antonio Paselie, Park place	1	....	1
322	Frank Avon, Boulevard	1	....	1
323	Tony Donati, Park place	1	....	1
324	John Shea, Neptune avenue	1	....	1
325	Albin Subato, West First street	1	....	1
326	George Edinger, West First street	1	....	1
327	John Henry, Boulevard	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
328	Frank Burns, Boulevard	1	....	1
329	Alexander Furrear, Coney Island	1	....	1
330	Samuel Richter, West Fifth street	1	....	1
331	Samuel Daum, Boulevard	1	....	1
332	Luke Parker, race track	1	....	1
333	John Meehan, Coney Island	1	....	1
334	Albert Chamber, Surf avenue	....	....	....
335	Charles A. Kellen, Surf avenue	1	....	1
336	William Flanigan, Coney Island	1	....	1
337	Louis Efenbein, Park place	....	....	....
338	Robert Taylor, Neptune avenue	1	....	1
339	John Berberich, Cortland street	1	....	1
340	John Dort, Cortland street	1	....	1
341	Joseph Phingston, Coney Island	1	....	1
332	John Guinan, Sheepshead Bay road	1	....	1
343	Louis Gottlieb, Park place	1	....	1
344	Louis Whitfield, Coney Island	1	....	1
345	C. Sheppard, Railroad avenue	1	....	1
346	Samuel R. Coles, New street	1	....	1
347	Gottlieb Seified, Boulevard	1	....	1
348	John H. Wahlon, West Third street	....	....	....
349	J. Kielard, Coney Island	1	....	1
350	J. Barrett, race track	1	....	1
351	D. Haverty, Boulevard	1	....	1
352	Leo Lowenthall, Coney Island	1	....	1
353	Robert Irwin, Park place	1	....	1
354	J. McLane, Coney Island	1	....	1
355	W. B. McCormack, Park place	....	....	....
356	Martin Jordan, race track	1	....	1
357	S. Inks	1	....	1
358	H. West, race track	1	....	1
359	John Hope, Coney Island	1	....	1
360	Charles Hardwicke, race track	1	....	1
361	F. Hoffman, Coney Island	1	....	1
362	W. Ireland, Railroad avenue	1	....	1
363	I. Joseph, Boulevard	1	....	1
364	R. Kane, Coney Island	1	....	1
365	A. Listin, Coney Island	1	....	1
366	Benjamin Clenn, Boulevard	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
367	A. Asip, Park place	1	....	1
368	H. Mason, Boulevard	1	....	1
369	Ed. Hill, Surf avenue	1	1	1
370	Fred Neal, Arcade	1	1	1
371	John O'Connor, Park place	1	1	1
372	Charles Parks, Arcade	1	1	1
373	John Van Bergen, Coney Island	1	1	1
374	John Wensley, Arcade	1	1	1
375	James Hussey, Surf avenue	1	1	1
376	John Nugent, Coney Island	1	1	1
377	James Laden, Park place	1	1	1
378	Daniel McBride, Boulevard	1	1	1
379	John McCracken, Park place	1	1	1
380	Michael Farrell, Coney Island	1	1	1
381	Charles Donihue, Coney Island	1	1	1
382	Thomas Barrett, Boulevard	1	1	1
383	Michael Casey, Coney Island	1	....	1
384	William H. Bennett, race track	1	....	1
385	Henry Aster, S. B. avenue	1	....	1
386	Edmond Hall, Coney Island	1	....	1
387	Easton Thomas, Coney Island	....	....	....
388	J. C. Smith, Coney Island	....	....	....
389	C. Weil, Surf avenue	1	....	1
390	Albert Nelson, Coney Island	1	....	1
391	William Finn, Boulevard	1	....	1
392	William Bunn, Park place	1	....	1
393	George Ivesson, Coney Island	....	....	....
294	G. Brusser, Coney Island	....	....	....
395	Elber Nicholls, Coney Island	....	....	....
396	Pat. Spellman, Coney Island	....	....	....
397	John T. Brown, West First street	1	....	1
398	William Anderson, Windsor Hotel	1	....	1
399	Thomas Cox, race track	1	....	1
400	James Nixson, West First street	1	....	1
401	A. M. Straton, Sheepshead Bay road	1	....	1
402	Thomas Cabbott, S. B. avenue	1	....	1
403	William Bergman, Coney Island	1	....	1
404	Thomas Clear, Park place	....	....	....

Ballot No.	Names and residence of voters.	Box. 1	2	3
405	Thomas Cody, Coney Island	1	....	1
406	John Saverse, West Fifth street	1	....	1
407	Alex Samuels, West Fifth street	1	....	1
408	H. Samuels, West Fifth street	....	....	....
409	George Crane, West Fifth street,	....	....	....
410	Charles Rupp, Coney Island	1	....	1
411	John H. Schlobur, West Eleventh street	....	....	....
412	Charles Stern, Brighton Beach Hotel	1	....	1
413	John Madigan, Park place	1	....	1
414	Thomas Graham, Park place	....	....	....
415	William Derlin, Cortland street	1	....	1
416	John Conlow, Cortland street	1	....	1
417	Francis C. Martin, Sheepshead Bay road	1	....	1
418	——— Kavanagh, ———	1	....	1
419	L. Rosenberg, Park place	1	....	1
420	Ed. Mortimer, Park place	1	....	1
421	John E. Cook, Boulevard	1	....	1
422	Wilson Taylor, race track	1	....	1
423	Ernst Williams, Mason's Hotel	....	....	....
424	John Donovan, Coney Island	....	....	....
425	John Donahue, Coney Island	....	....	....
426	John McGrath, West First street	....	....	....
427	Hugh Carey, Boulevard	1	....	1
428	John Devlin, Cortland street	1	....	1
429	Simon Bernheim, Neptune avenue	1	..	1
430	John Weissinberger, Neptune avenue	1	....	1
431	Thomas Conlow, West Fifth street	1	....	1
432	M. Bergam, West Fifth street	....	....	....
433	C. Berkowirts, West Fifth street	....	....	....
434	Edward Fitzgerald, West First street	....	....	....
435	James Stevenson, Railroad avenue	1	1	1
436	Frank Cullen, Park place	1	1	1
437	Harry Taylor, Neptune avenue	1	1	1
438	John Kruse, Coney Island	1	1	1
439	Louis Hartt, Neptune avenue	1	1	1
440	Anderson Emil, Coney Island	1	1	1
441	George Smith	1	....	1
442	Willard Singer	1	....	1
443	Thomas Inge, Coney Island	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
444	John Vandernott, Village	1	....	1
445	William Reuben, Sheepshead Bay road	1	....	1
446	D. Gallegan, Arcade	1	....	1
447	A. Grant, race track	1	....	1
448	John W. Pierce, Coney Island	1	....	1
449	Gus. Hedder, Boulevard	1	....	1
450	Thomas Sharkey, Neptune avenue *	1	....	1
451	Louis Hamburger, West First street	1	....	1
452	William Fox, Surf avenue	1	....	1
453	Alfred Miller, Neptune avenue	1	....	1
454	George H. Fyers, Coney Island	1	....	1
455	George Patton, Coney Island	1	....	1
456	George R. Brown, Coney Island	1	....	1
457	John Ghins, Coney Island	1	....	1
458	Bert. Bonner, Coney Island	1	....	1
459	J. Mulavey, Coney Island	1	....	1
460	H. Jungle, Coney Island	1	....	1
461	Jas. House, Coney Island	1	....	1
462	Jas. Cox, race track	1	....	1
463	Richard Barry, Coney Island	1	....	1
464	Thomas Daniels, Railroad avenue	1	....	1
465	Jas. Brady, Coney Island	1	....	1
466	Thomas Stack, Surf avenue	1	....	1
467	William Bell, race track	1	....	1
468	Abe. Harris, Railroad avenue	1	....	1
469	John Sexton, Surf avenue	1	....	1
470	Alexander Whitfield, Coney Island	1	....	1
471	Toney Albert, Park place	1	....	1
472	John Casey, race track	1	....	1
473	J. Bellow, Coney Island	1	....	1
474	John Cooney, Coney Island	1	....	1
475	John H. Crook, Boulevard	1	....	1
476	Frank Hunt, Coney Island	1	....	1
477	Wm. Moulting, Surf avenue	1	....	1
478	Thos. Esterbok, Coney Island	1	....	1
479	Henry Gunselman, Coney Island	....	....	....
480	J. Smith, Coney Island	....	....	....
481	Thomas Kiernan, Coney Island	1	....	1

*Assisted by Robert Burchardt.

Ballot No.	Names and residence of voters.	Box. 1	2	3
482	William Mitchell, Coney Island	....	....	...
483	Andrew Sheehan, Coney Island	....	....	....
484	George Brook, Coney Island	...	....	....
485	Henry Scott, Park place	1	....	1
486	William James, West Third street	1	....	1
487	Gus. Cohen, Surf avenue	1	....	1
488	Geo. Vanderveer, Surf avenue	1	....	1
489	John J. Gillispe, Coney Island	1	....	1
490	George Cox, Surf avenue	1	....	1
491	Thos. Flynn, Arcade	1	....	1
492	Jos. Balmer, Surf avenue	1	....	1
493	William Vanderveer, Surf avenue	1	...	1
494	Rob. Harrison, Coney Island	1	....	1
495	Chas. Orsell, Railroad avenne	1	....	1
496	John J. Flynn, Arcade	1	....	1
497	Wm. Eschen, Cortland street	1	....	1
498	Thomas Gavin, Neptune avenue	1	....	1
499	Harry B. Hoagland, Arcade	1	....	1
500	Jas. Sinclair, West First street	1	....	1
501	Jas. Smith, Coney Island	1	...	1
502	Toney Auer, Arcade	1	....	1
503	Cor. Driscoll, Surf avenue	1	....	1
504	M. Mulligan, Park place	1	....	1
505	Fred. Beck, Sheepshead Bay road	1	....	1
506	Charles Brown, Surf avenue	1	....	1
507	Thomas Houghton, Surf avenue	....	....	....
508	Ed. Peterson, Coney Island	1	....	1
509	Aug. Newton, Coney Island	....	....	....
510	Chos. Cook, Coney Island	....	....	....
511	Ed. Cook, Coney Island	....	....	....
512	Con. Burke, Coney Island	....	....	....
513	Chas. Kroner, West Fifth street	1	....	1
514	Joseph Conrad, Neptune avenue	1	....	1
515	F. Ripley, West Third street	1	....	1
516	Thomas Bonner, Coney Island	1	....	1
517	Frank Yokel, West Eighth street	1	....	1
518	Joseph Fisher, West Third street	1	....	1
519	Walter Heavy, Coney Island	1	....	1
520	James Leary, Coney Island	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
521	Gabarel Moran, West Fifth street	1	....	1
522	James Printy, Park place	1	....	1
523	Charles Miller, Surf avenue	1	....	1
524	Harry Wyant, Surf avenue	....	....	....
525	Thomas Mortimer, Park place	1	....	1
526	James Carney, C. I	1	....	1
527	James Callahan, Arcade	1	....	1
528	Frank Duffy, Surf avenue	1	....	1
529	James Guyalday, Surf avenue	....	....	....
530	James Noonan, Park place	1	....	1
531	Solomon Issick, C. I	1	....	1
532	Phil. Coffee, Railroad avenue	1	....	1
533	Peter Charles, Boulevard	1	....	1
534	C. Madison, C. I	1	....	1
535	James Holmes, Railroad avenue	1	....	1
536	Charles Estorbok, C. I	1	....	1
537	George Hart, West Third street	1	....	1
538	Philip Link, C. I	1	....	1
539	H. A. Harrison, C. I	1	....	1
540	Harry Echo, West Third street	1	....	1
541	H. Abbott, Sea Breeze avenue	1	....	1
542	Thomas Parr, Surf avenue	1	....	1
543	Thomas Farrell, Village	1	....	1
544	William H. Bennett, Arcade	1	....	1
545	Charles Ahearn, Sea Breeze avenue	1	....	1
546	James Moran, Neptune avenue	1	....	1
547	James Bailey, Sheepshead Bay road	1	....	1
548	Adolph Davidson, C. I	1	....	1
549	Pat Delaney, Sheepshead Bay road	1	....	1
550	Daniel Brice, Boulevard	1	....	1
551	Frank Eisinger, Boulevard	....	....	....
552	Isaac Watross, West Fifth street	1	....	1
553	Ed. Curley, Sheepshead Bay road	1	....	1
554	Henry Weber, C. I	1	....	1
555	James Faith, C. I	...	....	....
556	Molly Pierce, C. I	....	....	....
557	Jacob J. Frohder, Boulevard	1	...	1
558	Harry Miller, Park place	1	....	1
559	William McLane, C. I	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
560	A. S. McHalls, C. I	....	....	....
561	Thomas Fenton, Railroad avenue	1	....	1
562	James Gabbott, Sheepshead Bay road	....	....	....
563	Al. Smith, C. I	....	....	....
564	Charles McDermott, Surf avenue	1	....	1
565	Aaron Blakeman, Railroad avenue	1	....	1
566	James Spence, West First street	1	....	1
567	Alex. Smith, Park place	1	....	1
568	Charles A. Stevenson, C. I	1	....	1
569	Rudolph Reinholt, West Eighth street	1	....	1
570	William Cronheim, C. I	1	....	1
571	J. E. Zingle, Shheepsh'd Bay road & W. 1st st.	1	....	1
572	Thomas Gilkenson, Boulevard	....	....	....
573	W. C. Cunningham, West Eighth street	....	....	....
574	William Morgan, Surf avenue	....	....	....
575	George W. Tillman, C. I	1	....	1
576	James Johnson, West Third street	1	....	1
577	Ed. Delevan, Surf avenue	1	....	1
578	John Whipple, Sheepshead Bay road	1	....	1
579	John Woodlands, Boulevard	1	....	1
580	John Strum, West Eighth street	1	....	1
581	Jas. Leono, S. H. B. road	1	....	1
582	C. J. Madden, C. I	1	....	1
583	Jas. Van Riper, Village	1	....	1
584	William Allen, S. H. B. road	1	....	1
585	Hugh Casey, Boulevard	1	....	1
586	William Halbert, C. I	1	....	1
587	James McCormack, Neptune Avenue	1	....	1
588	Jas. Roley, Cortland street	1	....	1
589	Henry Watson, C. I	1	....	1
590	John W. Meyers, Park place	1	....	1
591	Pat. Killella, C. I	1	....	1
592	Silvester Nash, C. I	1	....	1
593	Grover Kirke, Arcade	1	....	1
594	Morris Beck, R. R. Avenue	1	....	1
595	William Miller, Surf Avenue	1	....	1
596	William E. Cook, race track	1	....	1
597	Joseph Sphlint, Park place	1	....	1
598	Thomas McKeon, C. I	....	....	....

Ballot No.	Names and residence of voters.	Box. 1	2	3
599	Peter Casney, C. I	1	....	1
600	W. L. Kennedy, C. I	....	....	....
601	Jas. Gallagher, C. I	....	....	...
602	Jos. Strebble, West Eighth street	1	....	1
603	John Veltman, West Eighth street	1	....	1
604	J. Shea, Park place	1	....	1
605	Thomas Carroll, Boulevard	1	....	1
606	Jos. Sharkey, Neptune avenue	1	....	1
607	Jos. McGlynn, Arcade	1	....	1
608	Jos. Circle, C. I	1	....	1
609	Dennis McGrath, R. R. avenue	1	....	1
610	Pat. Ward, C. I	1	....	1
611	Chris. Minzahier, Park place	1	....	1
612	John Burnshagen, I. P. W	1	....	1
613	Ed. Bertrand, R. R. avenue	1	....	1
614	Ed. Black, R. R. avenue	1	....	1
615	John Cook, Park place	1	....	1
616	Peter Dowd, Neptune avenue	1	....	1
617	Frank Johnston, C. I	1	....	1
618	P. W. Fitzpatrick, Park place	1	....	1
619	Peter Freeman, Neptune avenue	1	....	1
620	Thomas Clear, Jr., Park place	1	....	1
621	Wm. Farrell, Park place	1	....	1
622	Frank Lockwood, Surf ave	....	....	....
623	James Reagan, Park place	1	....	1
624	John E. Vetto, Park place	1	....	1
625	J. Honey, Coney Island	1	....	1
626	P. W. McNamee, Coney Island	....	....	....
627	M. Sulnan, S. H. Road	....	....	....
628	W. I. Hayes, Coney Island	....	....	....
629	I. P. Lockwood, Coney Island	1	....	1
630	Sam'l Isaaks, Coney Island	....	....	....
631	R. Patterson, Coney Island	....	....	....
632	Thos. Murphy, Surf ave	1	....	1
633	George Hayes, Surf ave	....	....	....
634	George Chapman, Surf ave	....	....	....
635	George Lockwood, Surf ave	....	....	....
636	Jas. Nelson, Coney Island	1	....	1
637	I. Brack, R. R. ave	1	....	1
638	John Doyle, Coney Island	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
639	John Morris, Coney Island	1	....	1
640	William Wright, Coney Island	....	....	....
641	Thos. Hennesey, West First street	1	....	1
642	S. Wash, West Eighth street	1	....	1
643	William Eccelstien, Coney Island	1	....	1
644	R. Little, Coney Island	1	....	1
645	B. Windermayer, Park place	1	....	1
646	John Carney, Coney Island	1	....	1
647	Peter Rich, Coney Island	1	....	1
648	A. Israel, Coney Island	....	....	....
649	John Smith, Coney Island	....	....	....
650	John Murphy, Arcade	1	....	1
651	John Catburn, race track	1	....	1
652	Leon Lord, Coney Island	1	....	1
652	Charles Stack, Coney Island	1	....	1
654	S. McCarty, Park place	1	....	1
655	M. Remington, West First street	1	....	1
656	Rob. Easton, Coney Island	1	....	1
657	John Manning, Park place	....	....	....
658	Wm. Ryan, S. H. Bay Road	1	....	1
659	C. W. Speise, Coney Island	1	....	1
660	P. Bartz, Park place	1	....	1
661	John Quigley, Coney Island	1	....	1
662	D. J. McGrath, Jr., West First street	1	....	1
663	A. Van Loan, Railroad avenue	1	....	1
664	H. Mortimer, Park place	1	....	1
665	John Dixon, West First street	1	....	1
666	Riley Dixon, West First street	....	....	....
667	Archibald Small, West First street	....	....	....
668	Fred Eisenger, Boulevard	1	....	1
669	Charles Kayser, Boulevard	1	....	1
670	R. Emmons, Coney Island	1	....	1
671	L. Landsman, West Third street	1	....	1
672	J. Shaffer, West Fifth street	1	....	1
673	James Henry, Coney Island	1	....	1
674	W. Burns, Coney Island	1	....	1
675	John Seiger, Coney Island	1	....	1
676	George Nostrand, Coney Island	1	....	1
677	P. Eustis, West Third street	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
678	J. McGinnis, Coney Island	1	....	1
679	Thomas White, Coney Island	1	....	1
680	George Dilling, Coney Island	1	....	1
681	Alexander Solomon, Coney Island	1	....	1
682	John Golden, Coney Island	....	....	....
683	E. Tabor, Coney Island	....	....	....
684	John Grady, Surf avenue	1	....	1
685	J. Mackin, Park place	1	....	1
686	A. Emmons, village	1	....	1
687	W. Lynch, Coney Island	1	....	1
688	M. Thompson, Coney Island	1	....	1
689	M. Murphy, Coney Island	....	....	....
690	Thomas Higgin, West Third street	1	....	1
691	William Berghold, Coney Island	1	....	1
692	Max Slater, Neptune avenue	1	....	1
693	Ollie Wyckoff, West Fifth street	1	....	1
694	John Healy, Surf avenue	1	....	1
695	William Claney, Park place	1	....	1
696	George Brumley, Coney Island	1	....	1
697	James Penman, race track	1	....	1
698	Joseph Gerlach, Coney Island	1	....	1
699	William Leilors, Coney Island	....	....	....
700	Walter Powlwell, Coney Island	....	....	....
701	M. I. Buckley, Coney Island	1	....	1
702	Charles Ludi, Sea Beach avenue	1	....	1
703	P. McGlinn, West Fifth street	1	....	1
704	August Weinhardt, Surf avenue	1	....	1
705	A. Abraham, Sea Breeze avenue	1	....	1
706	C. Walters, Coney Island	....	....	....
707	H. Landers, Surf avenue	....	....	....
708	F. Miller, Coney Island	1	....	1
709	W. Stone, West Third street	1	....	1
710	John I. Voohiss, West Fifth street	1	....	1
711	George Lane, Coney Island	1	....	1
712	John Palmers, West Eighth street	1	....	1
713	George Emerson, village	1	....	1
714	P. Reilly, Jr., Park place	1	....	1
715	L. Hart, Sr., Coney Island	1	....	1
716	D. Raymond, Coney Island	....	....	....

Ballot No.	Names and residence of voters.	Box. 1	2	3
717	James McDermott, Park place	1	....	1
718	F. Rook, West Third street	....	....	....
719	Charles Mascor, West Fifth street	....	....	....
720	C. R. Ales, Coney Island	1	....	1
721	A. Leftin, Coney Island	1	....	1
722	H. Baker, Coney Island	....	....	....
723	Jacob Buhler, Sheepshead Bay road	1	....	1
724	Michael Sheedy, Coney Island	1	....	1
725	William Wilson, Cortland	1	....	1
726	Ernst Zeuzel, West First street	1	....	1
727	Charles Yeunger, West Eighth street	1	....	1
728	M. Hackett, Surf avenue	1	....	1
729	Thomas Hogan, Coney Island	1	....	1
730	John Clark, Coney Island	1	....	1
731	Ed. Collins, West Fifth street	1	....	1
732	Ed. Matthews, Coney Island	1	....	1
733	Charles Meyer, Coney Island	1	....	1
734	Michael Dunn, Surf avenue	1	....	1
735	John Duffy, Railroad avenue	1	....	1
736	George Gray, Coney Island	1	....	1
737	John Gleason, Coney Island	....	....	....
738	Robert Graves, Coney Island	....	....	....
739	George A. Flint, Coney Island	....	....	....
740	Michael McLoughlin, Park place	1	....	1
741	Thomas Young, West Eighth street	1	....	1
742	Jas. Smith, Boulevard	1	....	1
743	Jas. VanStein, Coney Island	....	....	....
744	Henry Youngabend, West Fifth street	1	....	1
745	Augustus Youss, West Third street	1	....	1
746	Dan Murphy, Park place	1	....	1
747	John Malley, Park place	....	....	....
748	M. Abram, Sheepshead Bay road	1	....	1
749	George Campbell, Sheepshead Bay road	....	....	....
750	John Lachron, Coney Island	1	....	1
751	Jas. Dunbar, Sheepshead Bay road	1	....	1
752	Matthew O'Hear, Park place	1	....	1
753	John F. Liverman, Coney Island	1	....	1
754	John Dowd, Neptune avenue	1	....	1
755	Dan Harris, Coney Island	1	....	1

Ballot No.	Names and residence of voters.	Box. 1	2	3
756	George Illion, Coney Island	....	....	....
757	Thomas Claney, Coney Island	....	....	....
758	Wm. Collins, Coney Island	....	....	....
759	M. Thorp, Sheepshead Bay avenue	1	....	1
760	Harry Treford, Coney Island	1	....	1
761	Michael Sweeny, Sheepshead Bay avenue	1	....	1
762	Chas. Suffins, Park Place	1	....	1
763	Geo. VanHouton, Coney Island	1	....	1
764	Richard Churchill, Boulevard	1	....	1
765	Fred Armstrong, Sheepshead Bay avenue	1	....	1
766	E. G. Emmons, Coney Island	1	....	1
767	Chas. Lannon, Coney Island	....	....	....
768	John Lovely, Coney Island	....	....	....
769	Thomas Zeltner, Coney Island	....	....	....
770	Wm. Youst, Coney Island	....	....	....
771	Samuel Signal, Coney Island	....	....	....
772	A. Reiser, Coney Island	....	....	....
773	Enoch Reno, Coney Island	....	....	....
774	Thos. Parker, Coney Island	....	....	....
775	Rob. Patterson, Coney Island	....	....	....
776	John Plilps, Boulevard	1	....	1
777	Jas. McIntyre, Coney Island	1	....	1
778	Henry Meyer, Cortland street	1	....	1
779	Geo. Linderman, West Third street	1	....	1
780	W. Lynn, Coney Island	1	....	1
781	Jas. Haskins, Park place	1	....	1
782	Jesse Jones, Coney Island	1	....	1
783	John Johnston, Arcade	1	....	1
784	George Kuntze, West First street	1	....	1
785	Aaron Simmons, West Fifth street	1	....	1
786	Frank Krap, Coney Island	....	....	....
787	Albert Know, Coney Island	....	....	....
788	A. M. Eustace, West Third street	1	....	1
789	Jas. S. Lawler	1	....	1
790	George Schaffer, West Fifth Street	1	....	1
791	D. Sweeney, Coney Island	1	....	1
792	John Bauer, Arcade	1	....	1
793	George Brew, Coney Island	1	...	1
794	Tim. Greason, Coney Island	....	....	....

Ballot No.	Names and residence of voters.	Box. 1	2	3
795	Theo. Runnan, Coney Island	....	....	....
796	Andrew Redmond, Coney Island	....	....	....
797	P. Hickey, Coney Island	....	....	....
798	Nelson Goodfellow	1	....	1
799	Walter Green, race track	1	....	1
800	Thos. Bigelow, Coney Island	1	....	1
801	John Read, West First street	1	....	1
802	Jos. Johnston, Coney Island	1	....	1
803	Herman Curtis	1	....	1
804	Mike Cassidy, West Third street	1	....	1
805	J. Miller, Coney Island	1	....	1
806	John McHenry, race track	1	....	1
807	Jas. Sheridan	1	....	1
808	I. Merrill, Coney Island	1	....	1
809	Julius Casper, Coney Island	....	....	....
810	Parker Sayres, Surf ave	1	....	1
811	Jos. Colamore, Coney Island	1	....	1
812	Chas. Euris, Coney Island	....	....	....
813	Chris Unger, Coney Island	....	....	....
814	Rob. Taylor, Jr., Neptune ave	1	....	1
815	John Thuler, West Third Street	1	....	1
816	Theo. Schmidt, Coney Island	....	....	....
817	Ed. Richards, S. H. B. road	1	....	1
818	Jacob Marcus, Coney Island	1	....	1
719	G. H. Mitchell, Coney Island	1	....	1
820	Gus. Klein, Sea Breeze ave	1	....	1
821	Richard Kessel, Boulevard	1	....	1
822	Chas. Kush, Arcade	1	....	1
823	Samuel Lake, Coney Island	1	....	1
824	George Olive, Coney Island	....	....	....
825	William Osen, Coney Island	....	....	....
826	Charles Palker, Coney Island	....	....	....
827	Ed. Page, Coney Island	....	....	....
828	Thos. Quinn, Coney Island	....	....	....
829	Jas. Quinn, Coney Island	....	....	....
830	Martin Carroll, race track	1	....	1
831	Stephen Charleston, Coney Island	1	....	1
832	Hery Beauford, Coney Island	....	....	....
833	Jas. Burke, Coney Island	....	....	....

Ballot No.	Names and residence of voters.	Box. 1	2	3
834	Ralph Severy, Coney Island	....	....	....
835	Wm. Peters, Neptune ave	....	....	....
836	Albert Levy, Surf ave	1	....	1
837	A. J. Hickey, race track	1	....	1
838	William Logan, Coney Island	1	....	1
839	James Lenahane, Coney Island	....	....	....
840	Jas. Ryan, West Fifth street	1	....	1
841	John Ross, Park place	1	....	1
842	James Shaw, Coney Island	1	....	1
843	S. Schoolmaker, Coney Island	1	....	1
844	John Gruber, Coney Island	....	....	....
845	Roger Grady, Coney Island	....	....	....
846	Anderson Harvey, Railroad avenue	1	....	1
847	William J. Hall, West Third street	1	....	1
848	Frank Marke, Surf avenue	1	....	1
849	James Williams, Coney Island	1	....	1
850	G. W. Westgatt, Coney Island	....	....	....
851	James McGuire, Park place	1	....	1
852	Carl Muller, Cortland	1	....	1
853	Lewis Goldberg, Park place	1	....	1
854	George Gibson, Coney Island	1	....	1
855	A. S. Emmons, village	1	....	1
856	Ed Drew, Surf avenue	....	....	....
857	James Gilkensen, Surf avenue	....	....	....
858	Richard Golden, Coney Island	....	....	....
859	Frederick Henderson, Cortland	1	....	1
860	John Williams, Coney Island	1	....	1
861	Andrew Webb, Coney Island	1	....	1
862	Andrew Tyson, Coney Island	....	....	....
863	H. Owens, Coney Island	....	....	....
864	William Taylor, Coney Island	....	....	....
865	James Oliver, Coney Island	....	....	....
866	M. O'Harra, Coney Island	....	....	....
867	Thomas James, Coney Island	....	....	....
868	George Jarvis, Coney Island	....	....	....
869	William O'Connell, Coney Island	....	....	....

Poll list kept by the poll-clerks in the fourth election district of the town of Gravesend at the general election held in said election district on the seventh day of November, 1893.

Board of inspectors.

Name.	Residence.
Geritsen Morris.....	Sheepshead Bay.
Patrick H. Tighe	Sheepshead Bay.
Washington I. Tuttle.....	Sheepshead Bay.

Ballot clerks.

John Keenan.....	Sheepshead Bay.
James Jamison, Jr	Sheepshead Bay.

Poll clerks.

A. V. Quick	Voorhies avenue, Sheepshead Bay.
Stanley French.....	East Twenty-first street, Sheepshead Bay.

Date of filing, *November* 7, 1893.

JOHN L. VOORHIES,
Town Clerk.

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
64	Garrett Applegate.....	Sheepshead Bay....	....	x	....
78	George Ahearn	"	....	"	....
78	George Ahearn.....	Manhattan Beach..	....	"	....
135	John H. Abrams	" ..	....	"	....
136	William Arend.....	Sheepshead Bay....	....	"	....
152	Obidiah S. Aumack.....	"	....	"	....
159	Obidiah S. Aumack*.....	"	....	"	....
168	Charles Allen.....	"	....	"	....
227	Patrick Ahearn.....	"	....	"	....
321	James S. Andrews.....	"	....	"	....
353	Abram Applegate.....	"	....	"	....
362	James Ahearn, No. 1.....	"	....	"	....
363	James Ahearn, No. 2.....	"	....	"	....
9	Andrew Boyle.....	"	....	"	....
24	John Burns.....	"	....	"	....
31	James Brady.....	"	....	"	....
44	John Boyle, Jr.....	"	....	"	....

* Ballot destroyed. New set given No. 159.

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
46	William Boyle	Sheepshead Bay	....	"	....
63	John Boyle, Sr	"	....	"	....
147	William G. Brown	"	....	"	....
170	Theodore Bryant	"	....	"	....
220	John Broge	"	....	"	....
233	Walter Burke	"	....	"	....
243	Allen Burroughs	"	....	"	....
284	James Brennan	"	....	"	....
285	Morris Bradley	"	....	"	....
310	John Briggs	"	....	"	....
338	Charles E. Bird	"	....	"	....
344	Herman Bergen	"	....	"	....
347	George Boyle	"	....	"	....
356	William Bernard	"	....	"	....
365	William Barrett	"	....	"	....
367	A. C. Burton	"	....	"	....
368	Jesse L. Bronner	"	....	"	....
370	John Bedell, No. 2	"	....	"	....
3	John L. Colwell	"	....	"	....
5	Dennis Collins	"	....	"	....
11	William Colwell	"	....	"	....
14	Joseph Cammer	"	....	"	....
53	Benjamin F. Corson	"	....	"	....
77	William Cook	"	....	"	....
85	John Connerty	"	....	"	....
92	Richard Corson	"	....	"	....
102	Camillo Ciccone	"	....	"	....
104	Cornelius Colwell	"	....	"	....
124	Samuel Creamer	"	....	"	....
158	Frederick R. Corson	"	....	"	....
164	Timothy Corcoran	"	....	"	....
167	J. A. Churchill	"	....	"	....
171	John Costigan	"	....	"	....
183	Joseph P. Cooney	"	....	"	....
186	Richard Conklin	"	....	"	....
187	Patrick Callahan	"	....	"	....
197	Robert Clark	"	....	"	....
205	Joseph Clark	"	....	"	....
215	Richard M. Casey	"	....	"	....

Ballot. No.	Name of voter.	Residence of voter.	Box. 1	2	3
216	Isaac Corson	Sheepshead Bay	....	"	....
217	James D. Costigan	"	....	"	....
219	Lawrence Cahill	"	....	"	....
221	Peter Crosby	"	....	"	....
225	James W. Clark	"	....	"	....
232	Peter J. Cahill	"	....	"	....
252	Peter Connors	"	....	"	...
273	Thomas F. Conway	"	....	"	....
378	Thomas Cosgrove	"	....	"	...
279	John Chitty	"	....	"	....
304	Patrick Connelly	"	....	"	....
308	James H. Coyle	"	....	"	....
330	James Cummings	"	....	"	....
331	John J. Cummings	"	....	"	....
342	Leo Cordes	"	....	"	....
357	John Comer	"	....	"	....
369	Eustis Colwell	"	....	"	....
371	Chris. Coffey	"	....	"	....
25	Michael H. Daley	"	....	"	....
37	Frank Dunnegan	"	....	"	....
41	George H. Belano	"	....	"	...
47	Thomas Dunnegan, No. 1,	"	....	"	....
51	Tony Deferee	"	....	"	....
62	James Dooley	"	....	"	....
83	James Dempsey	"	....	"	....
87	Harry Decknatell	"	....	"	....
101	Julius Dietzman	"	....	"	....
156	J. A. Decknatel	"	....	"	....
160	Jerry Doran	"	....	"	....
176	Thomas Digney	"	....	"	....
181	James Donnelly	"	....	"	....
213	William Dunnegan	"	...	"	....
236	Martin Dunnegan	"	....	"	....
250	James Driscoll	"	....	"	....
263	Peter Dorsey	"	....	"	....
270	Peter Derby	"	....	"	....
274	Samuel Delano	"	....	"	....
288	Jesse DeLong	"	....	"	....
307	John Donnelly	"	....	"	....

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
322	John Driscoll	Sheepshead Bay	....	"	....
245	John Eddy Elwise	"	....	"	....
277	Andrew Ervinger	"	....	"	....
323	Edward Emerson	"	....	"	....
334	Bernard Edmundson	"	....	"	....
336	Ralph Elweis	"	....	"	....
2	William Farrell	"	....	"	....
22	Stanley French	"	....	"	....
48	Henry Friend	Neck road	....	"	....
52	Augustus Friend	"	....	"	....
54	John Fitzpatrick	"	....	"	....
58	William Fitzpatrick	"	....	"	....
60	George Fitzsimmons	"	....	"	....
72	Edward Fagan	"	....	"	....
76	Charles E. Fowler, Jr	"	....	"	....
93	Peter Fearon	"	....	"	....
105	William Fowler	"	....	"	....
111	Henry Faeber	"	....	"	....
112	Willlam G. Fricke	"	....	"	....
114	Charles E. Fowler, Sr	"	....	"	....
118	Rowe Fowler	"	....	"	....
139	William C. Fessenden	"	....	"	....
157	H. H. Finley	"	....	"	....
172	James Finnan	"	....	"	....
228	Michael Foley	"	....	"	....
230	Joseph Farrell	"	....	"	....
283	Maurice Foley	Sheepshead Bay	....	"	....
302	Owen Finnerty	"	....	"	....
26	Martin Guinan	"	....	"	....
34	Michael Guinan	"	....	"	....
43	Patrick Gillan, No 2	"	....	"	....
82	Leden Garrisson	"	....	"	....
142	John Gorman	"	....	"	....
239	August Guieser	"	....	"	....
242	Errico Gennary	"	....	"	....
255	Frederick Grat	"	....	"	....
280	Chas. F. Giesbracht	"	....	"	....
290	Rudolph Gewert	"	....	"	....

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
319	Charles Gunderman	Sheepshead Bay		"	
352	Henry Gramel	"		"	
7	Thomas Haggerty	"		"	
23	George H. Hewlett	"		"	
33	Abraham Hewlett	"		"	
36	Martin Hall	"		"	
57	Frank Hart	"		"	
69	Anton Huisman	"		"	
71	Edward Heffner	"		"	
81	John Hall	"		"	
91	Maurice Haley, Jr	"		"	
94	John Hines	"		"	
107	Anton Hubner	"		"	
115	Joel Halstead	"		"	
117	James Haggerty	"		"	
129	Daniel Heffner	"		"	
131	Sim Hagland	"		"	
132	George W. Head	"		"	
141	Maurice Haley, Sr	"		"	
146	James Hunt	"		"	
148	William S Hood	"		"	
154	James Holmes	Sheepshead		"	
162	George Hunt	Sheepshead Bay		"	
165	Patrick Haley, No. 1	"		"	
177	John Hoag	"		"	
185	Patrick Haley, No. 2	"		"	
189	Peter Harrigan	"		"	
194	Harry Herbert	"		"	
238	Rudolph Huisman, Jr	"		"	
301	James Hines	"		"	
320	Fergus Hall	"		"	
345	J L. Hawley	"		"	
361	Michael Harrigan	"		"	
372	Michael F. Harrold	"		"	
241	Antonio Iggo	"		"	
18	James Jemison	"		"	
27	A. S. Jemison	"		"	

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
89	Jep. Jessen	Sheepshead Bay	....	"	....
137	William E. Johnson	"	....	"	....
151	James Jemison, Sr	"	....	"	....
155	Frederick Jourgeson	"	....	"	....
254	Alexander Jamison	"	....	"	....
259	Ward B. Jones	"	....	"	....
340	J. C. Jacoby	"	....	"	....
359	Michael Jones	"	....	"	....
13	John Keenan	"	....	"	....
16	Leonard Knox	"	....	"	....
55	John Knuth	"	....	"	....
56	Frank Knuth	"	....	"	....
65	John A. Killish	"	....	"	....
96	George B. Keating	"	....	"	....
106	John Knuth, Jr	"	....	"	....
128	Edward J. Kearns	"	....	"	....
144	George Kerr	"	....	"	....
163	Frederick Kempton	"	....	"	....
174	Michael Kennedy, No. 2	"	....	"	....
198	John E. Kennedy	"	....	"	....
208	Gus Krollpfieffer	"	....	"	....
261	Hans Kronika	"	....	"	....
264	Henry Knuth	"	....	"	....
297	Henry Knox	"	....	"	....
309	Henry Kreith	"	....	"	....
313	James O. Kelly	"	....	"	....
328	Theodore Knuth	"	....	"	....
341	*Michael Kennedy, No. 1	"	....	"	....
346	Michael Kennedy, No. 1	"	....	"	....
20	Conrad Lebhardt	"	....	"	....
42	William Lee	"	....	"	....
75	Henry Leonard	"	....	"	....
86	Patrick Lowe	"	....	"	....
134	Charles Lundy	"	....	"	....
206	Daniel Lamberson	"	....	"	....
207	Horace G. Lamberson	"	....	"	....
211	Michael Lahey	"	....	"	....

*Spoiled ballot; new set issued, No. 346.

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
222	Frank Leonard	Sheepshead Bay	....	"	....
223	Frederick Lundy	"	....	"	....
224	John Lundy	"	....	"	....
244	Myer Levy	"	....	"	....
247	George Lappine	"	....	"	....
267	John Long	"	....	"	....
271	Walter Lundy	"	....	"	....
276	William Leith	"	....	"	....
299	Charles Larara	"	....	"	....
305	Joseph Langcake	"	....	"	....
317	James Lawrence	"	....	"	....
355	Frederick Lewis	"	....	"	....
29	John McKenna	"	....	"	....
30	James McKenna	"	....	"	....
32	James McKane	"	....	"	....
49	Robert McKeon	"	....	"	....
50	James McLaughlin	"	....	"	....
79	James McMahon	"	....	"	....
84	John McKeon	"	....	"	....
113	George McKane	"	....	"	....
119	Duncan John McKinley	"	....	"	...
120	Duncan D. McKinley	"	....	"	....
121	Charles McKenna	"	....	"	....
123	William McCabe	"	....	"	....
127	Thomas McMahon	"	....	"	....
153	Patrick McCarthy, No. 1.	"	....	"	....
173	Thomas McKeon, No. 1	"	....	"	....
237	Thomas McKeon, No. 2	"	....	"	....
281	George McDonald	"	....	"	....
296	Robert McKane	"	....	"	....
312	James McKnight	"	...	"	....
315	John McMahon	"	....	"	....
324	Frank McNulty	"	....	"	....
325	Nicholas McNulty	"	....	"	....
6	Timothy Mahaney	"	....	"	....
19	Gerrettson Morris	"	....	"	....
35	James Mard	"	....	"	....
59	John Miller	"	....	"	....
61	Richard Murphy	"	....	"	....

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
66	Thomas Murray	Sheepshead Bay	....	"	....
98	Dennis Murphy	"	....	"	....
99	John Masters	"	....	"	....
199	William Moore	"	....	"	....
200	John Mahoney	"	....	"	....
201	William Moffatt	"	....	"	....
214	Daniel Mealey	"	....	"	....
231	James Martin	"	....	"	....
258	John Murphy	"	....	"	....
262	John Muller	"	....	"	....
265	Henry F. Myers	"	....	"	....
269	William Miller	"	....	"	....
272	Samuel Morris	"	....	"	....
289	David Martin	"	....	"	....
306	Frederick Miller	"	....	"	....
332	Morris Murphy	"	....	"	....
333	Patrick Murphy	"	....	"	....
343	Gottfried Messerley	"	....	"	....
349	Isaac Miller	"	....	"	....
354	Cornelius Morris	"	....	"	....
358	Thomas Murphy	"	....	"	....
360	Peter J. Murphy	"	....	"	....
4	Frederick Neusser	"	....	"	....
10	William Nostrand	"	....	"	....
126	Patrick Nolan	"	....	"	....
249	Michael Nconan	"	....	"	....
294	George Neusser	"	....	"	....
326	William Nagle	"	....	"	....
28	Henry Osborn	"	....	"	....
39	George O'Brien	"	....	"	....
80	John O'Neil	"	....	"	....
204	Charles O'Neil	"	....	"	....
300	H. R. Overton	"	....	"	....
337	David Osborn	"	....	"	....
12	Fernando Poole	"	....	"	....
90	Alfonso Poole	"	....	"	....
95	Paul Petruelly	"	....	"	....
169	Andrew Poole	"	....	"	....
180	Martin Purcell	"	....	"	....

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
190	Elmer Page	Sheepshead Bay	....	"	....
195	George Parker	"	....	"	....
203	George Peat	"	....	"	....
248	John J. Pillion	"	....	"	...
260	O. S. Pollock	"	....	"	....
275	Joseph A. Page	"	....	"	....
298	John W. Poole	"	....	"	....
192	Albert W. Quick	"	....	"	....
150	John Randall	"	....	"	....
175	Michael Ryan	"	....	"	....
196	John M. Regan	"	....	"	....
250	James Riley	"	....	"	....
282	John Racka	"	....	"	....
45	John Simmonson	"	....	"	....
67	David Schlamovitz	"	....	"	....
108	Morris Soebel	"	....	"	....
109	John Smith, No. 1	"	....	"	....
110	Jaques R. Stillwell*	"	....	"	....
130	Rudolph Schultz	"	....	"	....
143	Abram E. Stillwell	"	....	"	....
161	Cornelius S. Striker	"	....	"	....
179	John Smith, No. 2	"	....	"	....
184	William Scheussler	"	....	"	....
193	William Seypherheilt	"	....	"	....
202	David Steinberg	"	....	"	....
210	Clark Shaw	"	....	"	....
212	Augustus Sayers	"	....	"	....
218	Hugh Scals	"	....	"	....
226	Thomas Shanley	"	....	"	....
240	John B. Steininger	"	....	"	....
253	Thomas Smith	"	....	"	....
266	Albert Soeller	"	....	"	....
287	Charles T. Sumner	"	....	"	....
295	Andrew Slow	"	....	"	....
303	Everett D. Strong	"	....	"	....
316	Frederick W. Shults	"	....	"	....
329	George Stock	"	....	"	....
350	Charles Swift	"	....	"	....

*Duly sworn, aided by E. Bennett.

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
1	George C. Tappen.....	Sheepshead Bay....	....	"	....
17	William Tepe.....	"	....	"	....
21	Patrick H. Tighe.....	"	....	"	....
97	William Tilton.....	"	....	"	....
100	Edward Towey.....	"	....	"	....
113	Thomas Thompson.....	"	....	"	....
122	Washington I. Tuttle....	" ...	....	"	....
133	John Towey.....	"	....	"	....
138	George Thibault.....	"	....	"	....
191	Albert F. Thorne.....	"	....	"	....
234	Frederick Tuttle	"	....	"	....
235	William A. Taylor.....	"	....	"	....
335	Andrew Thompson.....	"	....	"	....
140	George E. Underwood...	"	...	"	....
218	Henry Ungerland.....	"	....	"	....
68	R L. Van Kleek	"	....	"	....
70	Henry S. Vanderveer.....	"	....	"	....
74	Edward Van Valkenberg.	"	....	"	....
149	Joseph B. Vanetta.....	"	....	"	....
178	Clarence R. Van Buskirk.	Neck road.....	....	"	....
188	P. V. Van Buskirk.....	"	....	"	....
229	James S. Voorhies.....	Sheepshead Bay....	....	"	....
246	John Van Vestering.....	"	....	"	....
256	Jacobus Voorhies.....	Neck road.....	....	"	....
268	Fritz Von Fricken.....	Sheepshead Bay....	....	"	....
292	Charles Vandewater	"	....	"	....
8	Theodore S. Wilkison. ...	"	....	"	....
15	Harry D. Whipple	"	....	"	....
38	John Washington.....	"	....	"	....
40	Peter Washington, Jr ...	"	....	"	....
73	Cornelius Ward.....	"	....	"	....
88	John Ward.....	"	....	"	....
116	John Walsh	"	....	"	....
166	John Woods.....	"	....	"	....
182	William A. Wilson.....	"	....	"	....
207	Peter Washington, Sr....	"	....	"	....
286	Andrew H. Weeks	"	....	"	....

Ballot No.	Name of voter.	Residence of voter.	Box. 1	2	3
293	Gottfried Weissbacher	Sheepshead Bay	...	"	....
311	Robert M. Whiteford	"	....	"	....
314	George M. White	"	....	"	....
327	John H. Woersbe	"	....	"	....
339	Henry Williams	"	....	"	....
348	Alexander Wilson	"	....	"	....
351	Dennis Washington	"	....	"	....
364	James B. Walden	"	....	"	....
366	Daniel Ward	"	....	"	....
125	August Young, Sr.	"	....	"	....

Board of inspectors.

Name	Residence.
John M. Cunliffe	Sheepshead Bay.
William H. Stewart	Sheepshead Bay.
T. T. Clarke	Sheepshead Bay.

Ballot clerks.

John McKay	Sheepshead Bay.
Joseph Wright	Sheepshead Bay.

Poll-clerks.

Johannes Konwenhoven	Sheepshead Bay.
James Haggerty	Sheepshead Bay.

Date of filing, November 7, 1893.

JOHN L. VOORHIES,
Town clerk.

1 Frank T. Clark, Sheepshead Bay.
2 George Stillwell, Coney Island avenue.
3 Joseph Wright, Sheepshead Bay.
4 John McKay, Sheepshead Bay.
5 John J. Lowe, Ocean parkway.
6 John M. Cunliffe, Sheepshead Bay.
7 Wm. J. Gladding, Sheepshead Bay.
8 J. F. Harris, Gravesend avenue.
9 A. H. Gorton, Gravesend avenue.
10 John Daulton, Sheepshead Bay.
11 John Y. McKane, Sheepshead Bay.
12 William H. Stewart, Sheepshead Bay.
13 Patrick Owens, Coney Island avenue.

14 Norton Inge, Sheepshead Bay.
15 John Brophy, Sheepshead Bay.
16 Edward D. Wyckoff, Kings Highway.
17 Johannes Konwenhoven, Sheepshead Bay.
18 Wm. E. Voorhies, Gravesend.
19 John Kelly, Ocean parkway.
20 John W. Greenwood, Sheepshead Bay.
21 Elias H. Ryder, Neck road.
22 James Brennan, Sheepshead Bay.
23 Peter J. O'Connors, Gravesend ave.
24 Leonce Victor, Brooklyn Jockey Club.
25 Geo. W. Roderick, Sheepshead Bay.
26 Michael Byrns, Sheepshead Bay.
27 Geo. Woods, Sheepshead Bay.
28 James Menneno, Sheepshead Bay.
29 William B. Marshall, Sheepshead Bay.*
30 Geo. Cluff, Coney Island ave.
31 John W. Young, Gravesend ave.
32 Jordan Greenwood, Sheepshead Bay.
33 John G. Kreyer, Coney Island ave.
34 John Konch, Sheepshead Bay.
35 Reuben Williamson, Sheepshead Bay.
36 Tunis Van Palt, Sheepshead Bay.
37 Robt. I. Smith, Sheepshead Bay.
38 Jerome Buck, Sheepshead Bay.
39 Earnest Edwards, Sheepshead Bay.
40 John Jimmerson, Sheepshead Bay.†
41 William W. Howell, Sheepshead Bay.
42 William Saugerton, Ocean parkway.
43 Michael Neylon, Coney Island ave.
44 William M. Hill, Coney Island ave.
45 Elias R. Bennett, Kings Highway.
46 Harry Bennett, Kings Highway.
47 Vito Carlow, Sheepshead Bay.
48 Harry Barns, Gravesend ave.
49 John Hamlin, Ocean parkway.
50 Joseph Ferentie, Sheepshead Bay.
51 Harry Melia, Sheepshead Bay.
52 Christopher Alexander, Brooklyn Jockey Club.
53 Garret H. Wyckoff, Kings Highway.

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*Disabled; assisted by Michael Daily. †Disabled; assisted by Andrew Boyle.

54 William Huston, Brooklyn Jockey Club.
55 Henry S. Wyckoff, Kings Highway.
56 Edward W. Voorhies, Ocean ave.
57 Peter Finegan, Sheepshead Bay.
58 Joseph C. Butler, No. 1, Sheepshead Bay.
59 Robt. Allbright, Brooklyn Jockey Club.
90 Chas. Beck, Gravesend ave.
61 John A. Mason, Coney Island avenue.
62 John Haley, Brooklyn Jockey Club.
63 William Ryder, Neck road.
64 Holmes Konwenhoven, Neck road.*
65 John Quinn, Ocean parkway.
66 Chas. Pool, Brooklyn Jockey Club.
67 Louis Kreyer, Coney Island avenue.
68 John Hall, Sheepshead Bay.
69 Edward Moran, Brookly Jockey Club.
70 Edward Brevie, Brooklyn Jockey Club.†
72 Eugene Mason, Kings highway.
73 Calvin Worths, Brooklyn Jockey Club.*
74 Andrew Jameson, Sheepshead Bay.†
75 John Stillwell, Gravesend village.
76 Frederick Smith, Sheepshead Bay.
77 John McGettrick, Gravesend avenue.*
78 H. F. Boyle, Gravesend avenue.
79 Louis Herline, Gravesend village.
80 Nathely Myers, Ocean parkway.
81 William M. Smith, Ocean parkway.
82 George W. Melvin, Brooklyn Jockey Club.
83 John Cotton, Brooklyn Jockey Club.
84 John Carley, Sheepshead Bay.
85 James Daulton, Sheepshead Bay.
86 George Emmons, Sheepshead Bay.
87 Nathaniel Mundrain, Brooklyn Jockey Club.
88 Jeremiah Brown, Brooklyn Jockey Club.
89 John L. Voorhies, Coney Island avenue.
90 Edward Brooks, Brooklyn Jockey Club.
91 Frank Midgely, Sheepshead Bay.
92 George Blackburn, Brooklyn Jockey Club.
93 Stephen Wyckoff, Kings highway.
94 George Burke, Brooklyn Jockey Club.

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*Sworn disabled. Assisted by Wm. J. Gladding. †Disabled. Assisted by Andrew Boyle.

95 William Jones, Sheepshead Bay.
96 John Wall, Brooklyn Jockey Club.
97 Theo. McKane, Sheepshead Bay.
98 William Buttler, Sheepshead Bay.*
100 John Culleeny, Coney Island avenue.
101 Joseph Bria, Sheepshead Bay.
102 Chas. Ohemis, Sheepshead Bay.
103 Richard Collons, Brooklyn Jockey Club.
104 J. H. Whelpley, Ocean parkway.
105 Benj. Benning, Brooklyn Jockey Club.
106 Daniel Brown, Brooklyn Jockey Club.
107 Anderson Brown, Brooklyn Jockey Club.
108 John Carl, Ocean parkway.
109 Henry Cooper, Brooklyn Jockey Club.
110 Alanson Tredwell, Sheepshead Bay.
111 Richard Dimond, Brooklyn Jockey Club.†
112 William Briody, Brooklyn Jockey Club.
113 John Halaran, Coney Island ave.
114 William Birdie, Brooklyn Jockey Club.
115 Arthur Smith, Sheepshead Bay.
116 John H. Konwenhoven, Neck road.
117 James Cottrell, Brooklyn Jockey Club.
118 Louis Carter, Brooklyn Jockey Club.
119 R bert T. Mason, Coney Island ave.
120 John Curtis, Brooklyn Jockey Club.
121 Richard Collins, Brooklyn Jockey Club.
122 Con Hall, Sheepshead Bay.
123 John Dwyer, Brooklyn Jockey Club.
124 Frank Donnelly, Brooklyn Jockey Club.
125 John White, Brooklyn Jockey Club.
126 Joseph Donnelly, Ocean parkway.
127 George F. Kelly, Ocean parkway.
128 James B. Voorhies, Sheepshead Bay.
129 John Costello, Brooklyn Jockey Club.
130 Edward F. Conway, Sheepshead Bay.
131 Geo. H. Magill, Neck road.
132 Michael Burke, Ocean parkway.
133 Henry Brownsman, Brooklyn Jockey Club.
134 Samuel Burrill, Brooklyn Jockey Club.
135 Joseph Dailey, Brooklyn Jockey Club.

*Disabled. Assisted by Wm. J. Glading. †Disabled; assisted by Willson Taylor.

136 William J. Lyman, Brooklyn Jockey Club.
137 David Donnerly, Brooklyn Jockey Club.
138 Andrew Jimmerson, Sheepshead Bay.*
140 William Bennett, Kings Highway.
141 Samuel Jackson, Brooklyn Jockey Club.†
142 Robert Jackson, Brooklyn Jockey Club.
143 Henry Jackson, Brooklyn Jockey Club.
144 William Jackson, Brooklyn Jockey Club.
145 Bernard Cronan, Brooklyn Jockey Club.
146 Edward Donnerly, Brooklyn Jockey Club.
147 Frank Purcell, Sheepshead Bay.
148 Martin Guinan, Sheepshead Bay.
149 Owen Ryan, Brooklyn Jockey Club.
150 Patrick Riley, Brooklyn Jockey Club.
151 Moses Grant, Brooklyn Jockey Club.
152 William H. Kelly, Brooklyn Jockey Club.
153 John Roach, Brooklyn Jockey Club.
154 Geo. M. McKane, Sheepshead Bay.‡
155 Peter Peterson, Gravesend avenue.*
156 Stephen J. Voorhies, Ocean avenue.
157 William McKane, Sheepshead Bay,
158 John Cunliffe, Sr., Sheepshead Bay.
159 Henry Voorhies, V. D., Ocean avenue.
160 John Carlton, Brooklyn Jockey Club.
161 Henry Donaldson, Brooklyn Jockey Club.
162 Charles Brent, Brooklyn Jockey Club.
163 Frank Tingley, Brooklyn Jockey Club.
164 John Dennis, Brooklyn Jockey Club.
165 John Powell, Sheepshead Bay.
166 James Frances, Brooklyn Jockey Club.
167 John Flyn, Brooklyn Jockey Club.
168 John Elleott, Brooklyn Jockey Club.
169 Robert Duttman, Brooklyn Jockey Club.
170 A. H. Owens, Brooklyn Jockey Club.
171 John Phewmyre, Brooklyn Jockey Club.
172 Charles Flyn, Brooklyn Jockey Club.
173 Patrick Donoho, Brooklyn Jockey Club.
174 Joseph Fox, Brooklyn Jockey Club.
175 Michael Considine, Neck road.

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*Disabled; assisted by Michael Dailey. †Not voted. ‡Disabled; assisted by John Stinegar.

176 Martin Green, Sheepshead Bay.
177 Henry Hanson, Sheepshead Bay.*
178 Louis Smith, Sheepshead Bay.
179 John Hawkins, Brooklyn Jockey Club.
180 Joseph P. Johnson, Brooklyn Jockey Club.
181 Henry Clayton, Brooklyn Jockey Club.
182 Tonni Dugan, Brooklyn Jockey Club.
183 John Flannigan, Brooklyn Jockey Club.
184 John Fink, Brooklyn Jockey Club.
185 Frank McKnight, Brooklyn Jockey Club.
186 †James Tully, Coney Island avenue.
187 A. W. Lott, Gravesend avenue.
188 ‡James Tully, Coney Island avenue.
189 Patrick Foley, Brooklyn Jockey Club.
190 John Harloff, Sheepshead Bay.
192 Thomas Fitzpatrick, Brooklyn Jockey Club.
193 William P. Hamlin, Ocean parkway.
194 §George L. Jackson, Sheepshead Bay.
195 W. D. Peirson, Sheepshead Bay.
196 Timothy Fitzpatrick, Neck road.
197 John D. Wyckoff, Coney Island avenue.
198 ‖William Henry, Brooklyn Jockey Club.
199 William Johnson, Gravesend avenue.
200 John James, Brooklyn Jockey Club.
201 John McGinnis, Coney Island Jockey Club.
202 Samuel Joy, Brooklyn Jockey Club.
203 John Moss, Brooklyn Jockey Club.
204 William Davis, Brooklyn Jockey Club.
205 Thomas Melia, Sheepshead Bay.
206 Joseph Johnson, Brooklyn Jockey Club.
207 Patrick Connors, Brooklyn Jockey Club.
208 Aaron Vanderbilt, Ocean ave.
209 ¶Frank Mead, Brooklyn Jockey Club.
210 Thomas Murphy, Brooklyn Jockey Club.
212 Timothy Ryan, Brooklyn Jockey Club.
213 Willlam Raynor, Brooklyn Jockey Club.
214 Benjamin Ruttledge, Brooklyn Jockey Club.
215 James E. Flint, Brooklyn Jockey Club.

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* Disabled; assisted by Michael Dailey. † Spoiled ballots. ‡ New set issued. § Disabled; assisted by Michael Dailey. ‖ Disabled; assisted by Peter O'Connors. ¶ Ballots spoiled 209; No. new set No. 211 issued.

216 A. J. Gorton, Gravesend village.
217 Albert Thompson, Brooklyn Jockey Club.
218 James Fenwick, Brooklyn Jockey Club.
219 John Goldburrow, Brooklyn Jockey Club.
220 A. J. Goldeburough, Brooklyn Jockey Club.
221 David S. Hickton, Ocean parkway.
222 Alexander Connors, Brooklyn Jockey Club.
223 A. W. Battersby, Sheepshead Bay.
224 Cain Gardenner, Brooklyn Jockey Club.
225 Joseph Hamilton, Brooklyn Jockey Club.
226 James Hallarn, Sheepshead Bay.
227 John Ramsey, Brooklyn Jockey Club.
228 George Spring, Brooklyn Jockey Club.
229 Hugh Scale, Brooklyn Jockey Club.
230 William Bedell, Sheepshead Bay.

Poll list of the sixth election district of the town of Gravesend at the general election held in said election district on the seventh day of November, 1893.

Board of inspectors.

Name.	Residence.
Nicholas J. Johnson, Chairman,	Kings Highway.
Harlan Crandall	Kings Highway.
Jas. H. Cropsey	Gravesend.

Ballot clerks.

Frank L. Ballard	Woodlawn.
Uriah J. Ryder	Gravesend.

Poll clerks.

William Ballard	Woodlawn.
Henry L. Van Sicklen	Gravesend avenue.

Date of filing, November 7, 1893.

JOHN L. VOORHIES, *Town Clerk.*

136 Anderson, Charles, Ocean parkway.
165 Anderson, Wm., Gravesend ave.

2 Ballard, Wm., Woodlawn.
7 Ballard, Frank L., Woodlawn.

18 Butler, Samuel S., Kings Highway.
29 Burrill, Samuel, Kings Highway.
31 Boots, John, Kings Highway.
33 Burke, Patrick, Kings Highway.
48 Bennett, Wm. V. B., Kings Highway.
78 Bennett, John S., Kings Highway.
84 Bartz, Andrew, Jr., Gravesend ave.
94 Boody, Wm., Kings Highway.
95 Brown, James, Kings Highway.
97 Brown, Wm. G., Ocean parkway.
101 Brewer, Albert E., Ave. Q.
106 Butler, Stephen H., Kings Highway.
118 Bennett, S. S., Ave. S.
140 Bloomfield Henry, Coney Island ave.
141 Booker, S. T., Kings Highway.
142 Bernard, Wm., Gravesend ave.
148 Beatty, Thomas, Kings Highway.
149 Burke, James, Greenfield.
150 Burke, Martin, Greenfield.
152 Brown, Benjamin, King's highway.
154 Brown, James, Greenfield.
159 Blower, Frank, Gravesend avenue.
160 Binswanger, Simon, Washington county.
166 Birchell, Frederick, Gravesend avenue.
169 Brown, Thomas A., Ocean parkway.
170 Brown, William B., Ocean parkway.
174 Bennett, C. R., Gravesend avenue.
199 Burton, John F., Woodlawn.
211 Bates, James, Greenfield.
212 Baker, Nickolas, Ocean parkway.
213 Baker, John B., Ocean parkway.
216 Baker, John, Ocean parkway.
238 Bell, Theobold, Coney Island avenue.
243 Black, George, Gravesend.

111 Cornell, Frank H., Woodlawn.
123 Creamer, William, Greenfield.
135 Coffey, William H., Greenfield.
176 Collery, John, Greenfield.
207 Croswell, Hen y, Greenfield.
219 Collins, Michael F., Greenfield.

249 Collins, Charles H., avenue J.
254 Croswell, John, Greenfield.

22 Dillon, John, Jr., Greenfield.
65 Ditmas, John E., Gravesend avenue.
99 Dumphy, Michael, Greenfield.
110 De Nyse, Richard, King's highway.
133 Deavy, Martin, Ocean parkway.
139 Donnelly, Daniel J., Gravesend avenue.
143 Darrell, Peter, Ocean parkway.
178 Doscher, John, Gravesend avenue.
222 Dowell, Peter, Ocean parkway.
253 Dempsey, James, Greenfield.

15 Emmons, Stephen A., West Fourth street.
28 Eulenfeld, Ludwig, Gravesend avenue.
76 English, William, Gravesend avenue.
117 English, James, Gravesend avenue.

38 Fisher, Edward, avenue S.
108 Ferguson, Thomas, Ocean parkway.
112 Faulkner, John, Coney Island avenue.
138 Fowler, Ammon, West 12th street.
179 Forest, George, King's highway.
1 Gowen, Michael J., Gravesend avenue.
34 Gaines, Patrick R., King's highway.
60 Gough, James, King's highway.
109 Graham, Patrick, Woodland.
128 Gordan, John, Woodlawn.
126 Gaines, Henry G., Van Sicklen street.
129 Gueran, Matthew, Greenfield.
167 Gueran, Patrick, Greenfield.
168 Grau, G. Jacob, Gravesend avenue.
235 Goodwin, Charles W., Woodlawn.
255 Gallagher, Peter, King's highway.

23 Hammerschlag, M., Washington cemetery.
35 Hawthorne, Burt, Ocean parkway.
53 Hennessy, William, Greenfield.
56 Hannibal, Stephen T., Gravesend avenue.
58 Hastongs, David, Ocean parkway.
87 Hitchings, Benjamin G., Kings highway.

137 Hopkins, John, Ocean parkway.
153 Harnett, William, Avenue Q.
197 Rolsten, Henry, Greenfield.
237 Higgins, John, Kings highway.

183 Inge, Walter, Gravesend avenue.

3 Johnson, Nicholas J., King's highway.
21 Jackson, Robert, King's highway.
27 Johnson, William E., King's highway.
36 Jenkins, Theodore S., Van Sicklen street.
44 Johnson, Albert E., Coney Island avenue.
71 Johnson, J. M., West Fourth street.
164 Jepson, S., Washington cemetery.
184 Johnson, Warren W., Greenfield.
185 Johnson, Jeremiah C., King's highway.
189 Johnson, R. R., King's highway.
191 Johnson, Frank E., Coney Island avenue.
192 Johnson, Charles F., Coney Island avenue.
193 Jones, William, King's highway.
252 Jacob, John, Greenfield.

32 Kernen, Albert, Kings Highway.
47 Kelly, Michael D., East Seventh street.
80 Koening, Bernard, Woodlawn.
92 Kernan, John, Gravesend avenue.
145 Keenan, Owen, Greenfield.
158 Kennedy, Martin, Greenfield.
173 Keiser, Edward, Ocean parkway.
180 Krey, Geo. W., Gravesend avenue.
210 Klenckee, Herman, Coney Island avenue.
215 Kenny, James, Ocean parkway.
227 Kerrigan, John, Kings Highway.
245 Kline, Henry, Greenfield.

17 Lake, Jacobus, Lake place.
19 Love, Thomas W., Gravesend avenue.
62 Larkin, Peter, Kings Highway.
64 Loud, Richard H., Van Sicklen street.
66 Loud, John W., Gravesend avenue.
177 Lake, George, Kings Highway.
196 Lake, Wm. B., Lake place.

218 Leavy, Patrick, Greenfield.
224 Lomax, John, Kings Highway.
239 Leib, William G., Woodlawn.
240 Leib, Henry W., Woodlawn.

25 McGrath, Thomas, Washington cemetery.
43 McClosky, James, Kings highway.
54 McEnerney, Thomas, Greenfield.
59 McGarvey, Wm. H., Avenue Q.
67 McGivney, Wm. T., Gravesend avenue.
73 McEnerney, Wm., Kings highway *.
96 McSherry, James, Kings highway.
230 McGrath, Patrick, Greenfield.
16 Manley, James, Greenfie'd.
24 Maloney, Thomas, Gravesend avenue.
26 Maloney, John W., Gravesend avenue.
37 Manigan, John, Kings highway.
39 Miller, John, Woodlawn.
45 Murphy George, Kings highway.
49 Moser, William J., avenue M.
51 Mooney, Patrick, Greenfield.
52 Miner, Garrett, Kings highway.
79 Morgan, John, Gravesend avenue.
89 Masterson, Thomas, Ocean parkway.
132 Morrisey, John J., Kings highway.
155 Manly, Patrick, Greenfield.
171 Miller, Charles, East 8th street.
189 Mullen, Thomas, Kings highway.
190 Manly, John, Jr., Greenfield.
195 Mullen, James, Gravesend avenue.
198 Moser, Charles G., Woodlawn.
200 Moser, Charles A., Woodlawn.
201 Meybert, Edward, Woodlawn.
202 Meybert, Peter, Jr., Woodlawn.
203 Meybert, Peter, Sr., Woodlawn.
214 Maas, John, Gravesend avenue.
247 Mulholland, James, Kings highway.
187 Nelson, James T., Gravesend avenue.
221 Nichols, Daniel H., Ocean parkway.
226 Neumeyer, John B., avenue Q.

* Disabled voter, sworn, assisted by Wm. Wagner.

61 O'Connor, William, Gravesend avenue.
69 O'Connor, John,* Gravesend avenue.
77 O'Connor, David, Gravesend avenue.
125 Owens, Patrick, avenue Q.
225 Owens, Albert H. D., avenue Q and Kings highway.

10 Purcell, John, Greenfield.
41 Pease, Ralph, Ocean parkway.
42 Pringle, David, Ocean parkway.
63 Porter, James F., Coney Island avenue.
163 Peterson, Henry, Washington cemetery.
175 Pearson, Charles W.. avenue Q.
223 Proal, Henry H., Gravesend avenue.
246 Paw Paw, Jacob, Woodlawn.

14 Quinn, James, Greenfield.
124 Quinn, Felix, Greenfield.

4 Ryder, Uriah J , Gravesend avenue.
20 Rich, Peter, Gravesend avenue.
46 Rorke, John, Kings highway.
57 Ruthmond, Robert, Ocean parkway.
81 Ryder, Edwin A., Ocean parkway.
88 Reike, Frederick, Gravesend avenue.
115 Reed, James E., Lake street.
131 Ryder, C. M., Ryder place.
146 Rauft, Edward E., Gravesend avenue.
172 Roberts, Charles, Ocean parkway.
242 Ryder, John H., Gravesend avenue.
11 Sheppard, Wm., Greenfield.
75 Skerritt, Thomas, VanSicklen street.
85 Sharkey, Albert, Coney Island avenue.
86 Sharkey, Frank, Coney Island avenue.
90 Sullivan, Dennis, Kings highway.
91 Skerritt, Jas. H., Kings highway.
93 Storm, Samuel G., Kings highway.
98 Stryker, S., Lake street.
100 Slattery, James, Greenfield.
122 Sweeney, John, Kings highway.
103 Slattery, Thomas, Kings highway.
107 Sirell, Frank, Kings highway.

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* Disabled voter (O'Connor). O'Connor sworn, assisted by William O'Connor.

113 Storm, Harmon V., Kings highway.
114 Storz, Jacob, Greenfield.
120 Stillwell, Samuel S., Kings highway.
121 Short, Edward, Greenfield.
127 Stryker, Jacques S., Gravesend avenue.
155 Sullivan Matthew, Kings highway.
181 Schweimer, Benville, West Fourth street.
182 Strobe, Louis, Ocean parkway.
186 Stamp, George, King's highway.
206 Sullivan, Peter, Greenfield.
209 Stratton, Byron P., Coney Island avenue.
220 Stryker, Cornelius, Jr., Van Sicklen street.
228 Seibel, August, Greenfield.
229 Schroule, Ernest, Kings highway.
232 Strong, William H., Gravesend avenue
236 Schaffer, John, Lake street.
241 Storz, Ernest G., Greenfield.
251 Stokes, Michael, Greenfield.

104 Thicker, Henry, Kings highway.
104 Turner, William, Kings highway.
147 Thomas, Edward E., Gravesend avenue.
162 Thiele, Otto, Gravesend avenue.
194 Tobin, Patrick T., Greenfield.

5 Van Sicklen, Henry L., Gravesend avenue.
50 Van Sicklen, Edgar, Van Sicklen street.
55 Van Sicklen, D. S., Van Sicklen street.
74 *Van Riper, Jacob J., Gravesend avenue.
119 Van Sicklen, James, Van Sicklen street.
130 Vepbinger, Frederick, Gravesend avenue.
157 Van Sicklen, Henry J., Gravesend avenue.
233 Voorhies, Alfred M., Van Sicklen street.
234 Voorhies, W. K., Van Sicklen street.
244 Van Sicklen, Ferdinand, Gravesend avenue.

9 Wright, John D., Gravesend avenue.
12 Whalen, Patrick, Greenfield.
30 Wynne, Michael, Greenfield.
40 Wagner, William H., Kings highway.

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* Disabled voter; sworn; assisted by Mr. Quinn.

68 Weidner, John F., Greenfield.
70 Weidner, George, Greenfield.
82 Williams, Henry R., Woodlawn.
116 Welch, George, Kings highway.
122 Wallace, William, Woodlawn.
134 Williamson, Stephen, Coney Island avenue.
151 Whalen, Patrick, Kings highway.
161 Welsh, Thomas, Ocean parkway.
204 Whalen, Thomas, Greenfield.
205 Wagner, Adam, Greenfield.
208 Wichman, Henry, Coney Island avenue.
217 Weidner, Earnest, Greenfield.
231 Weidner, William M., Kings highway.

156 Young, H. Edward, Gravesend avenue.

STATE OF NEW YORK.

No. 31.

IN ASSEMBLY,

JANUARY, 1894.

LIST

OF

Members, Officers and Reporters of the Assembly of the State of New York, with their Post-office Addresses and Residences in the city of Albany, also Assembly Committees.

No. 31, ASSEMBLY.

MEMBERS, OFFICERS AND REPORTERS OF THE ASSEMBLY

OF THE

State of New York, with their Post-office Addresses and Residences in Albany.

One Hundred and Seventeenth Session, 1894.

Hon. GEORGE R. MALBY, of St. Lawrence, *Speaker;* residence in Albany, Delavan House.

District.	NAME.	Home post-office.	County.	Residence in Albany.
	Ainsworth, Danforth E	Sandy Creek	Oswego	Delavan House.
1	Babcock, Willoughby W	Prattsburgh	Steuben	Hotel Vendome.
	Baker, Everett C	Plattsburgh	Clinton	Hotel Kenmore.
2	Berry, John	Mount Vernon	Westchester	Stanwix Hall.
3	Braun, Charles	13 Kane street, Buffalo	Erie	57 Columbia street.
3	Brennan, James	237 Hamilton street, Albany	Albany	237 Hamilton street.
	Brownell, Joseph H	Windsor	Broome	Hotel Vendome.
5	Burtis, John H	121 Quincy street, Brooklyn	Kings	Delavan House.
	Bush, Robert P	Horseheads	Chemung	5 Pine street.

MEMBERS OF ASSEMBLY — (*Continued*).

District.	NAMES.	Home post-office.	County.	Residence in Albany.
29	Butts, Arthur C	1004 Trinity avenue, New York	New York	Delavan House.
4	Cahill, Joseph J	10 Warren place, Brooklyn	Kings	6 Pine street.
8	Cain, John J	159 Coffey street, Brooklyn	Kings	Hotel Kenmore.
2	Callahan, Michael J	105 Park Row, New York	New York	Delavan House.
2	Carroll, William A	134 Clinton avenue, Albany	Albany	134 Clinton avenue.
3	Cassin, John J	Greenbush	Rensselaer	132 Broadway.
2	Chambers, John M	Lansingburgh	Rensselaer	Lansingburgh.
	Chapman, Charles	Blenheim	Schoharie	16 Hawk street.
	Clark, Francis E	124 Vernon avenue, Brooklyn	Kings	Delavan House.
13	Clark, John H	Lockport	Niagara	Hotel Vendome.
14	Corrigan, John P	245 East 32d street, New York	New York	Delavan House.
1	Coughlin, Cornelius	28 Sandusky street, Buffalo	Erie	Hotel Kenmore.
	Cutler, Otis H	Suffern	Rockland	Hotel Kenmore.
26	Davidson, Louis	101 East 16th street, New York	New York	Hotel Kenmore.
2	Dean, Joseph	Goshen	Orange	Delavan House.
3	Denniston, William H	Parma Centre	Monroe	Hotel Vendome.
6	Dinkelspiel, Moses	250 Seventh street, New York	New York	Delavan House.
4	Douglas, Curtis N	Albany	Albany	Loudenville.
16	Dowling, Victor J	344 E. 57th st., New York	New York	Hotel Kenmore.
	Eldredge, Taylor, J	North Creek	Warren	Stanwix Hall.
2	Fairbrother, J. S	Maspeth	Queens	Stanwix Hall.
6	Finnigan, Michael E	Flatbush	Kings	Delavan House.
	Fish, Hamilton, Jr.	Garrisons	Putnam	42 Willett street.
5	Foley, Samuel J	454 Grand st., New York	New York	104 State street.

	Fuller, Harrison	Adams Center	Jefferson	Delavan House.
	Gardiner, E. Watson	Amsterdam	Montgomery	102 State street.
5	Gerst, Philip	Buffalo	Erie	Delavan House.
16	Graham, James	Canarsie	Kings	Keeler's Hotel.
18	Gleason, Daniel J	423 W. 47th st., New York	New York	Delavan House.
	Glenn, Harry M	Seneca Falls	Seneca	5 Kenmore place.
	Gould, Wesley	Hancock	Delaware	18 High street.
2	Gray, Augustus B	Poughkeepsie	Dutchess	Hotel Kenmore.
1	Harrigan, John C	Yonkers	Westchester	Hotel Kenmore.
2	Hennessy, John A	347 St. Mark's place, Brooklyn	Kings	132 State street.
21	Herrman, Moses	229 Broadway, New York	New York	Hotel Kenmore.
	Higbie, Richard	Babylon	Suffolk	Stanwix Hall.
	Hobbie, William Roscoe	Battenville	Washington	21 Jay street.
1	Hoefler, H. P	53 Plant street, Utica	Oneida	Keeler's Hotel.
	Horton, George S	Wolcott	Wayne	142 State street.
3	Hotaling, William H	Summit Station	Onondaga	Hotel Vendome.
3	Houghton, John F	460 Carlton avenue, Brooklyn	Kings	Delavan House.
	Howe, Epenetus	Candor	Tioga	223 State street.
	Hoysradt, Jacob H	Ancram	Columbia	
7	Hughes, William	15 Ashland place, Brooklyn	Kings	Delavan House.
	Keck, Philip	Johnstown	F'lton & H'm'ton	Hotel Kenmore.
1	Keenan, William M	127 Second street, Troy	Rensselaer	Troy.
25	Keleher, John	173 E. 93d street, New York	New York	Delavan House.
	Kelsey, Otto	Geneseo	Livingston	Stanwix Hall.
	Kern, Lambert B	De Ruyter	Madison	Hotel Vendome.
	Kerr, Ira B	Athens	Greene	
17	Kerrigan, Patrick J	425 W. 56th street, New York	New York	Delavan House.
12	La Fetra, Edward B	Potter Building, New York	New York	104 State street.
1	Lasch, William	53 Alexander street, Albany	Albany	53 Alexander street.
23	Lawson, Judson	798 W. End avenue, New York	New York	Delavan House.
	Lee, Benjamin F	Cuyler	Cortland	Hotel Vendome.
12	Loonan, Joseph F	718a Humboldt street, Brooklyn	Kings	Delavan House.

District.	NAME.	Home post-office.	County.	Residence in Albany.
2	Lounsbury, James	Kerhonkson	Ulster	Stanwix Hall.
9	McDermott, John F	457 W. 17th street, New York	New York	Hotel Kenmore.
	McGuire, Michael	Stapleton	Richmond	Stanwix Hall.
20	McKeon, William H	179 East 71st street, New York	New York	Delavan House.
1	McNamee, Henry	Fly Mountain	Ulster	
	Malby, George R	Ogdensburg	St. Lawrence	Delavan House.
30	Marrin, Charles C	Fordham	New York	Delavan House.
	Matthews, Allen S	Fort Covington	Franklin	Delavan House.
10	Melody, William Edward	104 South Fifth street, Brooklyn	Kings	Delavan House.
	Messiter, Uriah S	Liberty	Sullivan	Stanwix Hall.
3	Mittnacht, Jacob A	23 Spring street, New York	New York	Delavan House.
	Myers, John C	Schenectady	Schenectady	Stanwix Hall.
	Nixson, S. Fred	Westfield	Chautauqua	Delavan House.
8	O'Donnell, Thomas J	16 Gay street, New York	New York	Delavan House.
2	O'Grady, James M. E	Rochester	Monroe	15 Lancaster street.
	Parkhurst, William L	Clifton Springs	Ontario	23 Jay street.
1	Plant, William J	105 Adams street, Brooklyn	Kings	6 Pine street.
2	Porter, Joseph	Rome	Oneida	18 South Hawk street.
	Prescott, William C	Herkimer	Herkimer	Hotel Kenmore.
38	Reilly, James F	1412 Amsterdam av., New York	New York	Delavan House.
	Rider, John J	Schuyler's Lake	Otsego	Hotel Vendome.
	Robbins, Fred A	Angelica	Allegany	58 Chestnut street.
27	Robertson, Thomas H	243 E. 123d street, New York	New York	173 Livingston avenue.
1	Robinson, James	Long Island City	Queens	Delavan House.

	Robson, A. Flag	Italy	Yates	Hotel Vendome.
4	Roche, Patrick H	69 Pike street, New York	New York	Hotel Kenmore.
3	Ryder, Edgar L	Sing Sing	Westchester	49 Dove street.
17	Scanlon, James	2630 Atlantic avenue, Brooklyn	Kings	Delavan House.
15	Schillinger, Adolph	458 Ninth avenue, New York	New York	Delavan House.
10	Schulz, Frank F	344 Graham avenue, Brooklyn	Kings	Delavan House.
11	Schulz, Harry	199 Ewen street, Brooklyn	Kings	Delavan House.
6	Schoefflin, Charles F	Gardenville	Erie	15 Lancaster street.
2	Seibert, Simon	Buffalo	Erie	Delavan House.
11	Sheffield, James R	30 E. 39th street, New York	New York	Hotel Kenmore.
	Sherwood, David	Greene	Chenango	85 Clinton avenue.
2	Smith, Merrit F	Greenwood	Steuben	Delavan House.
	Smith, Samuel W	Albion	Orleans	Keeler's Hotel.
	Snyder, George A	Burdett	Schuyler	Hotel Vendome.
13	Southworth, James H	345 West 23d street, New York	New York	Stanwix Hall.
24	Stadtfeld, Robert V	207 East 67th street, New York	New York	104 State street.
7	Stein, John C	19 First avenue, New York	New York	Stanwix Hall.
	Stevens, George A	Lake Placid	Essex	Hotel Kenmore.
	Stewart, Edwin C	Ithaca	Tompkins	Hotel Kenmore.
1	Stone, Samuel H	Pittsford	Monroe	Hotel Vendome.
10	Sulzer, William	232 East 12th street, New York	New York	Hotel Kenmore.
14	Taylor, James	189 Montague street, Brooklyn	Kings	Hygeia Hotel.
	Terry, Charles W	Randolph	Cattaraugus	142 State street.
	Terry, James Frank	Mechanicville	Saratoga	Hotel Vendome.
1	Thompson, Edward H	Millerton	Dutchess	Hotel Kenmore.
1	Thornton, Howard	Newburgh	Orange	Delavan House.
	Tilton, Reuben J	Arcade	Wyoming	Hotel Vendome.
22	Tobin, Michael F	418 East 78th street, New York	New York	Hotel Kenmore.
17	Trainor, Patrick F	348 West 47th street, New York	New York	Delavan House.
	Tuttle, Thomas B	Leroy	Genesee	Hotel Vendome.
3	Vacheron, Eugene F	Ozone Park	Queens	Stanwix Hall.

MEMBERS OF ASSEMBLY — (*Concluded*).

District.	NAME.	Home post-office.	County.	Residence in Albany.
	Van Amber, Melville W....	Castorland.....	Lewis.....	Hotel Vendome.
1	Vehslage, John H. G.....	72 North Moore st., New York.....	New York	Delavan House.
1	Wells, J. Emmet.....	Syracuse	Onondaga.....	Delavan House.
4	Whittet, Joseph L.....	Buffalo.....	Erie	Delavan House.
18	Wieman, Julius L.....	79 Melrose street, Brooklyn.....	Kings	Delavan House.
	Wilcox, Benjamin M.....	Auburn.....	Cayuga.....	142 State street.
15	Wray, Albert A.....	355 Van Buren street, Brooklyn.....	Kings	Hotel Kenmore.
2	Wyckoff, Jonathan.....	Navarino.....	Onondaga.....	Globe Hotel.

OFFICERS OF THE ASSEMBLY.

NAME.	Office.	County.	Home post-office.	Residence in Albany.
George W. Dunn	Clerk	Broome	Binghamton	Delavan House.
Haines D. Cunningham	Assistant Clerk	Albany	Albany	1 Sprague place.
Edward M. Johnson	Journal Clerk	Otsego	Oneonta	Stanwix Hall.
Henry L. Gates	Assistant Journal Clerk	Oneida	Utica	Keeler's Hotel.
John R. Glover	Deputy Clerk	Chenango	Oxford	American Hotel.
Thomas B. White	Deputy Clerk	Onondaga	Syracuse	American Hotel.
Andrew C. Comstock	Deputy Clerk	Jefferson	Philadelphia	54 Chapel street.
Henry L. Stoddard	Deputy Clerk	New York	New York	115 Lancaster street.
Justin B. H Mongin	Deputy Clerk	Seneca	Waterloo	5 Kenmore place.
John E. Overton	Deputy Clerk	Suffolk	Port Jefferson	
Wells M. Bird	Deputy Clerk	Erie	Buffalo	Delavan House.
Henry E. Abell	Deputy Clerk	Kings	170 Seventh ave., Brooklyn	12 High street.
Palmer M. Wood	Deputy Clerk	Herkimer	Herkimer	American Hotel.
William H. Hawley	Index Clerk	Wyoming	Perry Centre	Keeler's Hotel.
Clarence Coon	Assistant Index Clerk	Madison	De Ruyter	Hotel Vendome.
William C. Stevens	Financial Clerk	Franklin	Malone	Delavan House.
Alonzo D. Lewis	Assistant Financial Clerk	Broome	Lisle	American Hotel.
Frederick S. Hemstead	Librarian	Kings	130 Tompkins ave., Brooklyn	Delavan House.
Leonard Jaycox	Assistant Librarian	Putnam	Garrisons	19 High street.
Adelbert Murray	Superintendent Documents	Warren	Glens Falls	70 Chapel street.
Frank S. Jennings	Supt. Wrapping Department	Tompkins	Dryden	202 Hamilton street.
Anderson D. Lawrence	Clerk's Messenger	Albany	Albany	102 Herkimer street.
George O. Hoyle	Clerk's Messenger	Orange	Newburgh	Keeler's Hotel.

OFFICERS OF THE ASSEMBLY — (*Concluded*).

NAME.	Office.	County.	Home post-office.	Residence in Albany.
Jacob Grossman	Clerk's Messenger	Cortland	Cortland	Hotel Vendome.
Charles H. Winslow	Speaker's Clerk	New York	558 E. 87th street.	35 Maiden lane.
Charles B. Burt	Speaker's Messenger	St. Lawrence	Ogdensburg	44 Chapel street.
James H. Manville	Sergeant-at-Arms	Washington	Whitehall	Globe Hotel.
Joseph Bauer	Doorkeeper	Monroe	Rochester	
Josiah E. West	First Assistant Doorkeeper	Rensselaer	Lansingburgh	Lansingburgh.
Hiram Van Tassell	Second Assistant Doorkeeper	Putnam	Garrisons	19 High street.
Henry F. Glisan	Stenographer	Chautauqua	Fredonia	142 State street.
William Loeb, Jr.	Speaker's Stenographer	Albany	83 Washington ave.	
Frank B. Lyon	Assistant Doorkeeper			
Richard Platt	Assistant Doorkeeper	Onondaga	Baldwinsville	Hotel Vendome.
Blake G. Wales	Assistant Doorkeeper	Sullivan	Kenoya Lake	126 State street.
Stephen A. Smith	Assistant Doorkeeper	New York	New York	
Rodney Russell	Assistant Doorkeeper	Franklin	Fort Covington	Hotel Vendome.
John W. Post	Assistant Doorkeeper	Saratoga	Mechanicville	Mechanicville.
George W. Lohnes	Postmaster	Rensselaer	Valley Falls	Globe Hotel.
E. Alward Manchester	Assistant Postmaster	Cayuga	Levanna	142 State street.
William Pfeifer	Post-office Messenger			
Frederick Maine	Mail and Document Carrier	Broome	Binghamton	73 Eagle street.
Edward J. Seymour	Messenger to Committees	New York	475 Lenox avenue.	Keeler's Hotel.
John F. Tozier	Messenger to Committees	Tioga	Waverly	American Hotel.
Jeremiah Winnie	Messenger to Committees			
Mason O. Smedley	Asst. Clk. Com. Engrossed Bills	Queens	Long Island City	8 Park street.
Fred G. Hayne	General Messenger	Orange	Goshen	5 Clinton place.
Andrew R. Warner	General Messenger	Oswego	Pulaski	185 Hamilton street.
Fitch McLean	General Messenger			

Edgar A. Waugh	Clerk Com. Ways and Means.	Oswego	Oswego	Keeler's Hotel.
Charles E. Holden	Clerk Committee on Judiciary.	Orange	Walden	225 State street.
Edwin A. Jones	Clerk Committee on Railroads.	St. Lawrence	Ogdensburg	44 Chapel street.
John A. Cole	Clerk Com. on General Laws.	Fulton	Northville	Hotel Kenmore.
Edward H. M. Roche	Clerk Committee on Cities	Kings	35 Myrtle avenue, Brooklyn	132 State street.
John Young	Committee Clerk	Onondaga	Syracuse	Hotel Vendome.
Owell H. Willard	Committee Clerk	Cattaraugus	Randolph	103 Grand street.
John J. Howell	Committee Clerk	Tioga	Nichols	American Hotel.
Lynn G. Burton	Committee Clerk	Steuben	Greenwood	4 Chestnut street.
Harry Lake	Committee Clerk	Oneida	Rome	American Hotel.
Benjamin A. Babcock	Committee Clerk	St. Lawrence	Brasher Falls	12 Park street.
Fred Pierce	Committee Clerk	Erie	North Boston	34 Beaver street.
Fred L. Whritner	Committee Clerk			
James A. Smith	Janitor	New York	107 West 32d street	63 Lodge street.
James A. O'Neil	Assistant Janitor	Onondaga	Manlius	Hotel Vendome.

REPORTERS OF THE ASSEMBLY.

NAME.	Paper.	County.	Post-office address.	Residence in Albany.
W. C. Cozier.....	New-York Mail and Express..	New York ...	New York ...	132 State street.
W. M. Speer.....	New York Sun	Albany	Albany	Fort Orange Club.
T. J. Cummings.....	N. Y. Commercial Advertiser.	New York ...	New York ...	Delavan House.
E. C. Cuyler.....	New York Evening Post.....	Albany	Albany	187 Hamilton street.
Myron Cooney	New York Telegram	Albany	Albany	104 Jay street.
W. H. Harrington.....	Troy Times	Rensselaer ...	Troy	132 State street.
R. A. Wood	New York Morning Advertiser.	Albany	Albany	46 Jay street.
Thos. A. Keith.....	Troy Telegram	Rensselaer ...	Troy	
E. H. M. Roehr	Brooklyn Freie Presse	Kings	Brooklyn	132 State street.
L. C. Beattie.....	New York Recorder.....	New York ...	New York ...	132 State street.
H. B. McLean	Associated Press	Albany	Albany	Delaware av., near Hurlbert.
H. M. Smith	New York Evening Sun	Albany	Albany	196 North Pearl street.
M. H. Rooker.....	Albany Press & Knickerbocker.	Albany	Albany	294 Madison avenue.
I. L. McEntee.....	United Press	Albany	Albany	46 Jay street.
H. E. Bates.....	Albany Evening Journal.....	Rensselaer ...	Troy	485 Broadw'y, East Albany.
C. H. Winslow.....	New York Tribune.....	New York ...	New York ...	Delavan House.
Hugh Hastings.....	New York Times	New York ...	New York ...	132 State street.
B. R. Newton.....	Buffalo Evening News.....	Erie.	Buffalo	132 State street.
Frank S. Perley.....	Buffalo Express.....	Erie	Buffalo	132 State street.
C. H. Smith	Buffalo Times	Erie	Buffalo	132 State street.
E. J. Seymour	N. Y. Commercial Advertiser.	New York ...	New York ...	American Hotel.
G. W. Bailden	Brooklyn Times	Kings	Brooklyn	132 State street.
Harry C. Gott	Albany Times-Union	Albany	Albany	264 Washington avenue.

F. G. Mather	Rochester Herald	Albany	Albany	120 Lancaster street.
John Boden	New York Press	New York ...	New York ,..	132 State street.
G. W. Blake.....	New York World	New York ...	New York ...	132 State street.
Arthur Clark	New York World	New York ...	New York ...	132 State street.
Thos. Wallace	Cohoes Dispatch	Albany	Cohoes	
Franz Richter.....	New York Staats Zeitung	New York ...	New York ...	132 State street.

ASSEMBLY COMMITTEES.

Ways and Means.

Mr. Ainsworth, of Oswego;
Fish, of Putnam;
Fuller, of Jefferson;
Brownell, of Broome;
O'Grady, of Monroe;
Schoepflin, of Erie;
Mr. Stewart, of Tompkins;
Fairbrother, of Queens;
Sulzer, of New York;
Bush, of Chemung;
Hennessy, of Kings.

Judiciary.

Mr. Thornton, of Orange;
Ainsworth, of Oswego;
Kern, of Madison;
Terry, J. F., of Saratoga;
Horton, of Wayne;
Porter, of Oneida;
Mr. Sheffield, of New York;
Terry, C.W., of Cattaraugus;
Sulzer, of New York;
Butts, of New York;
Herrman, of New York.

General Laws.

Mr. Keck, of Fulton and Ham.;
Wray, of Kings;
Glenn, of Seneca;
Robbins, of Allegany;
Stone, of Monroe;
Porter, of Oneida;
Mr. Nixon, of Chautauqua;
Cutler, of Rockland;
Ryder, of Westchester;
Southworth, of New York;
Finnigan, of Kings.

Revision.

Mr. Terry, J. F., of Saratoga;
Clark, F. E., of Kings;
Lounsbury, of Ulster;
Prescott, of Herkimer;
Smith, M. F., of Steuben;
Clark, J. H., of Niagara;
Mr. Glenn, of Seneca;
Robertson, of New York;
Stein, of New York;
McKeon, of New York;
Berry, of Westchester.

Codes.

Mr. Prescott, of Herkimer;
Kelsey, of Livingston;
Thornton, of Orange;
Taylor, of Kings;
Gould, of Delaware;
Keck, of Fulton and Ham.;
Mr. Kern, of Madison;
Vacheron, of Queens;
Marrin, of New York;
Dowling, of New York;
McDermott, of New York.

Taxation and Retrenchment.

Mr. Matthews, of Franklin;
Nixon, of Chautauqua;
Tuttle, of Genesee;
Lawson, of New York;
Parkhurst, of Ontario;
Houghton, of Kings;
Mr. Lee, of Cortland;
Babcock, of Steuben;
Foley, of New York;
Kerr, of Greene;
Carroll, of Albany.

Canals.

Mr. Gerst, of Erie;
Stone, of Monroe;
Van Amber, of Lewis;
Hotaling, of Onondaga;
Glenn, of Seneca;
Lawson, of New York;
Mr. Nixon, of Chautauqua;
Hobbie, of Washington;
Keleher, of New York;
Graham, of Kings;
Hoysradt, of Columbia.

Affairs of Cities.

Mr. Fish, of Putnam;
Thornton, of Orange;
Wells, of Onondaga;
Wittet, of Erie;
Burtis, of Kings;
Sheffield, of New York;
Mr. O'Grady, of Monroe;
Taylor, of Kings;
Keenan, of Rensselaer;
Davidson, of New York;
Coughlin, of Erie.

Railroads.

Mr. Parkhurst, of Ontario;
Matthews, of Franklin;
Seibert, of Erie;
Clark, J. H., of Niagara;
Thompson, of Dutchess;
Howe, of Tioga;
Mr. Eldridge, of Warren;
Hoefler, of Oneida;
Gleason, of New York;
Cassin, of Rensselaer.
Douglas, of Albany.

Commerce and Navigation.

Mr. Higbie, of Suffolk;
Wieman, of Kings;
Braun, of Erie;
Schultz, H., of Kings;
Cutler, of Rockland;
Robertson, of New York;
Mr. Dean, of Orange;
Smith, S. W., of Orleans;
Mittnatch, of New York;
Cain, of Kings;
Chapman, of Schoharie.

Insurance.

Mr. Hobbie, of Washington;
Wray, of Kings;
Whittet, of Erie;
Howe, of Tioga;
Cutler, of Rockland;
Clark, F. E., of Kings;
Mr. Rider, of Otsego;
Wells, of Onondaga;
Loonan, of Kings;
Harrigan, of Westchester;
McNamee, of Ulster.

Banks.

Mr. Thompson, of Dutchess;
Tilton, of Wyoming;
Fuller, of Jefferson;
Gardiner, of Montgomery;
Gerst, of Erie;
Denniston, of Monroe;
Mr. Robson, of Yates;
Messiter, of Sullivan;
Roche, of New York;
Trainor, of New York;
Reilly, of New York.

Electricity, Gas and Water Supply.

Mr. Lounsbury, of Ulster;
Scanlon, of Kings;
Braun, of Erie;
Hotaling, of Onondaga;
Messiter, of Sullivan;
Dean, of Orange;
Mr. Wray, of Kings;
Hobbie, of Washington;
Robinson, of Queens;
Cahill, of Kings;
Bush, of Chemung.

Internal Affairs.

Mr. Messiter, of Sullivan;
Howe, of Tioga;
Wyckoff, of Onondaga;
Snyder, of Schuyler;
Rider, of Otsego;
Sherwood, of Chenango;
Mr. Clark, J. H., of Niagara;
Stevens, of Essex;
Dinkelspiel, of New York;
Plant, of Kings;
La Fetra, of New York.

Labor and Industries.

Mr. Hotaling, of Onondaga;
Robertson, of New York;
Scanlon, of Kings;
Hoefler, of Oneida;
Fairbrother, of Queens;
Gray, of Dutchess;
Mr. Babcock, of Steuben;
Corrigan, of New York;
Lasch, of Albany;
Cahill, of Kings;
Tobin, of New York.

Excise.

Mr. Denniston, of Monroe;
Fairbrother, of Queens;
Seibert, of Erie;
Houghton, of Kings;
Schulz, F. F., of Kings;
Baker, of Clinton;
Mr. Robbins, of Allegany;
Stadtfeld, of New York;
Myers, of Schenectady;
McGuire, of Richmond;
Kerrigan, of New York.

Affairs of Villages.

Mr. Chambers, of Rensselaer;
Robson, of Yates;
Smith, S. W., of Orleans;
Eldridge, of Warren;
Higbie, of Suffolk;
Tilton, of Wyoming;
Mr. Gardiner, of Montgomery;
Coughlin, of Erie;
Schillinger, of New York;
Callahan, of New York;
Vehslage, of New York.

Public Printing.

Mr. Schoepflin, of Erie;
Brownell, of Broome;
Gould, of Delaware;
Kelsey, of Livingston;
Sheffield, of New York;
Stewart, of Tompkins;
Mr. Tuttle, of Genesee;
Carroll, of Albany;
O'Donnell, of New York;
Mittnacht, of New York;
Hennessy, of Kings.

Public Health.

Mr. Taylor, of Kings;
Seibert, of Erie;
Snyder, of Schuyler;
Van Amber, of Lewis;
Parkhurst, of Ontario;
Vacheron, of Queens;
Mr. Terry, C.W., of Cattaraugus
Reilly, of New York;
Plant, of Kings;
Dinkelspiel, of New York;
Brennan, of Albany.

Public Education.

Mr. O'Grady, of Monroe;
Lee, of Cortland;
Wilcox, of Cayuga;
Kelsey, of Livingston;
Matthews, of Franklin;
Thornton, of Orange;
Mr. Burtis, of Kings;
Robinson, of Queens;
Hughes, of Kings;
Foley, of New York;
Herrman, of New York.

Public Lands and Forestry.

Mr. Stevens, of Essex;
Prescott, of Herkimer;
Wilcox, of Cayuga;
Gray, of Dutchess;
Dean, of Orange;
Keck, of Fulton and Ham.;
Mr. Denniston, of Monroe;
Kerrigan, of New York;
Berry, of Westchester;
Melody, of Kings;
Cahill, of Kings.

Public Instruction.

Mr. Nixon, of Chautauqua;
Sherwood, of Chenango;
Stevens, of Essex;
Eldridge, of Warren;
Clark, F. E., of Kings;
Lawson, of New York;
Mr. Smith, S. W., of Orleans;
McKeon, of New York;
Roche, of New York;
Cain, of Kings;
Finnigan, of Kings.

Military Affairs.

Mr. Gould, of Delaware;
Wieman, of Kings;
Chambers, of Rensselaer;
Sherwood, of Chenango;
Houghton, of Kings;
Higbie, of Suffolk;
Mr. Smith, M. F., of Steuben;
Gleason, of New York;
Graham, of Kings;
Butts, of New York;
Coughlin, of Erie.

Soldiers' Home.

Mr. Porter, of Oneida;
Babcock, of Steuben;
Wieman, of Kings;
Brownell, of Broome;
Baker, of Clinton;
Denniston, of Monroe;
Mr. Robson, of Yates;
Dowling, of New York;
Loonan, of Kings;
Cassin, of Rensselaer;
Schillinger, of New York.

Claims.

Mr. Stone, of Monroe;
Robbins, of Allegany;
Rider, of Otsego;
Horton, of Wayne;
Kelsey, of Livingston;
Mr. Schulz, H., of Kings;
Ryder, of Westchester;
McDermott, of New York;
Marrin, of New York.

Federal Relations.

Mr. Gray, of Dutchess;
Kern, of Madison;
Gardiner, of Montgomery;
Lawson, of New York;
Glenn, of Seneca;
Mr. Seibert, of Erie;
Keleher, of New York;
Davidson, of New York;
Douglas, of Albany.

Charitable and Religious Societies.

Mr. Burtis, of Kings;
Chambers, of Rensselaer;
Snyder, of Schuyler;
Thompson, of Dutchess;
Tuttle, of Genesee;
Mr. Terry, J. F., of Saratoga;
McNamee, of Ulster;
O'Donnell, of New York;
Roche, of New York.

Prisons.

Mr. Baker, of Clinton;
Wilcox, of Cayuga;
Tilton, of Wyoming;
Robertson, of New York;
Scanlon, of Kings;
Mr. Whittet, of Erie;
McGuire, of Richmond;
Stein, of New York;
Southworth, of New York.

Fisheries and Game.

Mr. Van Amber, of Lewis;
Higbie, of Suffolk;
Smith, M. F., of Steuben;
Wyckoff, of Onondaga;
Stewart, of Tompkins;
Mr. Eldridge, of Warren;
La Fetra, of New York;
Keenan, of Rensselaer;
Stadtfeld, of New York.

Privileges and Elections.

Mr. Horton, of Wayne;
Vacheron, of Queens;
Sheffield, of New York;
Keck, of Fulton and Ham.;
Terry, J. F. of Saratoga;
Mr. Gould, of Delaware;
Harrigan, of Westchester;
Dowling, of New York;
McNamee, of Ulster.

Trade and Manufactures.

Mr. Fuller, of Jefferson.
Schulz, F. F., of Kings;
Smith, M. F., of Steuben;
Hoefler, of Oneida;
Gerst, of Erie;
Mr. Snyder, of Schuyler;
Brennan, of Albany;
Vehslage, of New York;
Chapman, of Schoharie.

Agriculture.

Mr. Wyckoff, of Onondaga;
Sherwood, of Chenango;
Schoepflin, of Erie;
Lee, of Cortland;
Gray, of Dutchess;
Mr. Snyder, of Schuyler;
Hoysradt, of Columbia;
Kerr, of Greene,
Myers, of Schenectady.

Indian Affairs.

Mr. Terry, C.W., of Cattaraugus;
Gerst, of Erie;
Matthews, of Franklin;
Robbins, of Allegany;
Wells, of Onondaga;
Mr. Tilton, of Wyoming;
Callahan, of New York
Corrigan, of New York;
Lasch, of Albany.

Rules.

Mr. Speaker;
Ainsworth, of Oswego;
Fish, of Putnam;
Mr. Prescott, of Herkimer;
Sulzer, of New York;
Bush, of Chemung.

Printed and Engrossed Bills.

Mr. Braun, of Erie;
Lounsbury, of Ulster;
Schulz, H., of Kings;
Mr. Melody, of Kings;
Hughes, of Kings.

Unfinished Business.

Mr. Schulz, F. F., of Kings;
Smith, S. W., of Orleans;
Gardiner, of Montgomery;
Mr. Tobin, of New York;
Trainor, of New York.

STATE OF NEW YORK.

No. 32.

IN ASSEMBLY,

FEBRUARY 2, 1894.

COMMUNICATION

FROM

FRED C. SCHRAUB, COMMISSIONER OF AGRICULTURE, IN RESPONSE TO A RESOLUTION, PASSED JANUARY 22, 1894, REQUESTING HIM TO COMMUNICATE THE OCCUPATION OR EMPLOYMENT OF EACH OF THE DAIRY INSPECTORS AND ASSISTANT COMMISSIONERS IMMEDIATELY PRIOR TO HIS EMPLOYMENT BY THE STATE.

To the Honorable GEORGE MALBY, *Speaker of Assembly, Assembly Chamber, Capitol, Albany, N. Y.:*

In response to a resolution, passed January 22, 1894, which reads as follows: "In Assembly, Albany, January 22, 1894. On motion of Mr. Fish:

"Resolved, That the Commissioner of Agriculture be requested to communicate to this House within ten days the occupation or employment of each of the dairy inspectors and assistant commissioners immediately prior to his employment by the State.

"By order of the Assembly.

"HAINES D. CUNNINGHAM,
"*Assistant Clerk.*"

I most respectfully submit this list of the assistant commissioners and experts or agents in the employ of this department:

First Division.

Geo. L. Flanders, assistant commissioner, teaching.

C. H. Allen, expert and agent, medical student.

Chas. Burke, expert and agent, grocer.

Geo. B. Fellows, expert and agent, farmer.

V. P. Douw Lee, expert and agent, printer.

Simon Nussbaum, expert and agent, merchant.

J. M. Hutchings, expert and agent, stenographer.

R. D. Clark, expert and agent, physician and chemist.

Second Division.

B. F. Van Valkenburgh, assistant commissioner, wholesale butter and cheese merchant.

Arch. D. Clark, expert and agent, employed on dairy farm.

W. W. Meeteer, expert and agent, wholesale butter and cheese business.

John McGuire, expert and agent, street inspector.

John T. Norton, expert and agent, wholesale butter and cheese business.

Edmund S. Wilson, expert and agent, wholesale and retail butter, cheese and milk business.

Third Division.

F. D. Tuthill, assistant commissioner, dairy farmer.

Thomas C. Du Bois, expert and agent, employe of leather manufactory.

M. Dugan, expert and agent, blacksmithing and selling wagons.

R. H. Palmer, expert and agent, dealer in coal and farm produce.

George W. Price, expert and agent, deputy sheriff, Orange county.

E. Wright Vail, expert and agent, dairy farming.

Fourth Division.

James H. Brown, assistant commissioner, farmer, dealer in grains.

W. W. Hall, expert and agent, cheesemaker.

W. B. Howard, expert and agent, farmer.

M. T. Morgan, expert and agent, cheesemaker.

L. E. Scrafford, expert and agent, dealers in applies, hop-poles and cedar posts.

Geo. A. Smith, expert and agent, cheesemaker.

Fifth Division.

Charles D. Moore, assistant commissioner, farmer and insurance.

E. A. Ayres, expert and agent, cheesemaker.

Chas. S. Kellogg, expert and agent, butter and cheese manufacturer.

H. A. Rees, expert and agent, cheesemaker.

J. C. Wilson, expert and agent, chemist.

Sixth Division.

Peter H. Parker, assistant commissioner, farmer.

James Boice, expert and agent, farmer.

P. C. Harp, expert and agent, farmer.

Chas. F. Nash, expert and agent, farmer.

A. J. McSweeney, expert and agent, restaurateur.

Seventh Division.

P. J. Sutley, assistant commissioner, deceased.

The employes in this division who were working under Mr. Sutley have been discontinued as such.

Eighth Division.

John H. Foley, assistant commissioner, farmer and coal dealer.

Geo. Bernhard, expert and agent, machinist.

Jos. M. Quigley, expert and agent, manufacturer of underwear.

Samuel A. Lattimore, expert and agent, chemist.

Ninth Division.

Geo. J. Zillig, assistant commissioner, cashier, Erie county treasurer's office.

Samuel Abrams, expert and agent, salesman.

John J. Coughlin, expert and agent, grocer's clerk.

A. S. Delano, expert and agent, vinegar manufacturer.

John R. Earl, expert and agent, grocer and produce dealer.

Michael Galligan, expert and agent, farmer.

Frank E. Geise, expert and agent, grocer's clerk.

John A. Miller, expert and agent, chemist.

Hoffman Ruger, expert and agent, farmer.

Tenth Division.

James W. McMahon, assistant commissioner, farmer and dealer in agricultural implements.

Walter J. Corbett, expert and agent, postmaster and undertaker.

W. E. McDuffie, expert and agent, physician and chemist.

The law under which this department operates does not provide for "dairy inspectors," but it does provide for experts and agents who perform the work and act in the capacity of the persons probably intended to be covered with the words "dairy inspectors," in the resolution; for that reason I have given a list of the experts and agents as though they had been called for in the resolution. The work of these agents is not confined alone to examining dairies; they are obliged to examine the butter being sold upon the market; also the vinegar. Some of them devote almost their entire time to giving instructions in making cheese. In fact, all of our agents are carefully instructed in their work by our expert butter and cheese instructors prior to being set to work, and are furnished with all necessary information as to the duty to be required of them by such instructors; in this way they all operate upon a definite system.

The work of the employes of the department during the past year has been uniformly satisfactory, and, I believe, very efficient. I am pleased at the opportunity presented by your resolution to furnish this information to your honorable body, and shall be happy, at any time, to furnish you with any information within my knowledge as to the workings of the department, with the idea of further increasing its efficiency.

I have the honor to subscribe myself, most respectfully.

FRED C. SCHRAUB,

Commissioner of Agriculture.

STATE OF NEW YORK.

No. 33.

IN ASSEMBLY,

FEBRUARY 8, 1894.

PETITION

OF

JULES O'BRIEN, OF THE CITY OF BUFFALO, CONTESTING THE SEAT OF CORNELIUS COUGHLIN, OF THE FIRST ASSEMBLY DISTRICT OF ERIE COUNTY.

To the Honorable the Assembly of the State of New York:

The petition of Jules O'Brien, of the city of Buffalo, county of Erie and State of New York, respectfully shows to your Honorable body:

I.

That he was a candidate for election to the office of Member of Assembly for the first district of the said county of Erie, at the election held in this State, November 7, 1893, being regularly placed in nomination for such office by Republican electors of said district; that his chief opponent at said election for said office was Cornelius Coughlin, the candidate of the Democratic party, and the present incumbent of the office.

II.

That all of the requirements of law were complied with by your petitioner and the political party of which he was a candidate, and your petitioner's name was regularly and lawfully placed upon the ballots containing the names of Republican party candidates to be voted at said election.

III.

That your petitioner is informed and believes that the election in said First Assembly District of said county of Erie, was not a fair and free expression of individual preferences by the electors in said district, but was, by the grossest fraud and intimidation of voters, by the forcible ejection of Republican watchers from the polling places, by open and flagrant violation of the election law, on the part of advocates of the election of the said Cornelius Coughlin, and by the refusal on the part of the police, and alleged deputy sheriffs, to permit the lawfully qualified electors to approach the polling places in said Assembly district, converted into an expression of mob rule.

IV.

That your petitoner is also informed and belives, that the actual vote cast for him in the second ward of the said city of Buffalo, was not correctly returned by the inspectors of election in said ward.

V.

That fraud, intimidation, illegal electioneering, and ejectment of watchers were supplemental in the third and fourth districts of the first ward in said city, and in the first, fourth and fifth districts of the nineteenth ward in the said city, by open colonization of illegal voters, to the number, as deponent is informed and believes, of about one thousand, of whom, at least eight hundred voted at said election in the various districts where they were respectively colonized, without the right so to do and in violation of law, as your deponent is informed and believes.

VI.

That the (so-called) election in the said second, third and fourth districts of the first ward of said city, and the first, fourth and fifth districts of the nineteenth ward of said city, was not an election, but was the mere reckless, mischievous and unlawful casting of balolts by hordes of repeaters and illegal voters whose

deposited ballots were selected, and whose actions were dominated over by adherents of the said Cornelius Coughlin and advocates of his election.

VII.

That the official canvass of the result of the election for Member of Assembly, in the said First Assembly District, shows the said Coughlin to have received upon the face of the returns 1,689 plurality, which is a mistake of, at least, 100 votes in favor of the said Coughlin, as appears upon the published table of such canvass; that the said canvass shows that the said Coughlin received 325 majority in the fifth district of the nineteenth ward, 256 in the fourth district of the nineteenth ward, ninety-seven in the first district of the nineteenth ward, 387 in the fourth district of the first ward, 144 in the second district of the first ward, and 101 in the third district of the first ward, and 764 in the second ward entire.

That your petitioner is informed and believes, that at least 250 of the votes counted in the said second ward, as a part of the majority for said Coughlin, were cast for your petitioner, and that the said Coughlin, personally, in and about the various election districts in said Assembly district violated the election laws and Constitution of the State of New York, by the bribing of electors and by other unlawful means employed by the said Coughlin to compass the defeat of your petitioner, and his own election.

Wherefore, your petitioner prays that this petition be referred to a committee appointed to investigate the said election of Member of Assembly for the First Assembly District of the county of Erie, and that if the facts and statements hereinbefore set forth, are found to be true, that your petitioner will be awarded his seat as a member of your honorable body.

Dated, Buffalo, N. Y., December 29, 1893.

JULES O'BRIEN.

ERIE COUNTY, }
CITY OF BUFFALO. } ss.:

Jules O'Brien, being duly sworn, deposes and says, he has read the foregoing petition and knows its contents, and that

the same is true of his own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters, he believes it to be true.

JULES O'BRIEN.

Sworn to before me this 15th day of January, 1894.

John R. Hazel,
Notary Public.

STATE OF NEW YORK.

No. 34.

IN ASSEMBLY,

FEBRUARY 6, 1894.

PROCEEDINGS AND TESTIMONY

BEFORE THE

ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS, IN THE MATTER OF THE CONTEST OF STILLMAN F. KNEELAND AGAINST WILLIAM HUGHES, OF THE SEVENTH ASSEMBLY DISTRICT.

STILLMAN F. KNEELAND, Contestant, against WILLIAM HUGHES, Contestee.

BROOKLYN, *January* 12, 1894.

Before Messrs. Keck, Gould and Harrigan, committee.

Appearances for the contestant, George F. Elliott, Esq., and William J. Youngs, Esq., associate counsel.

For the contestee, Hon. Thomas J. Magner.

Mr. Magner:

I wish it noted on the record that we had no notice of an application for the swearing of the witnesses to the testimony already taken, which was done before Mr. Justice Cullen, on January third. I do not waive any rights and objections I may have in this matter on that account, and I reserve the right to object to the admission of the printed case, and the testimony contained in it, on the ground that no notice was given to the contestee that the same was to be signed by the witnesses in the presence of the court.

I object also, on the ground that it is not offered in accordance with the statute, the statute declaring that testimony must be certified by the Clerk of the Assembly-

The Chairman:

They were given to us as a part of the proceedings, and will be so considered by the committee.

Mr. Magner:

I further object to it, on the ground that it appears that this testimony was filed on the second of January, whereas it was sworn to on the third of January.

It is admitted that no charge of fraud is personally made against the contestee, Mr. Hughes, and that if any irregularities or fraud are proven in the case, it was not done with the consent, connivance, procurement or acquiescence of Mr. Hughes.

Mr. Kneeland:

I desire to introduce in evidence a statement from the registry list of the Fourteenth district of the Ninth ward, on page 72 of the printed registry list of that ward.

Mr. Magner:

I object to the admission of the record, on the ground that it is not the best evidence, it being a printed copy of a public record.

The Chairman:

It will be taken, subject to correction, if found to be wrong.

Mr. Kneeland (reading):

"Rosaria Miele, 28 years of age; length of time in the State, 11 years; length of residence in county, 11 years; residence in district, 3 months. 872 Bergen street.

"Same number, 872 Bergen street, Joseph Ramarta, age 30 years; residence in State, 13 years; residence in county, 13 years; residence in district, 6 months.

"Same number, Jimmie Trotta, age 25 years; residence in State, 8 years; residence in county, 8 years; residence in district, 5 months.

"Same number, Vigleanti Cammerari, 25 years old; residence in State, 12 years; residence in county, 12 years; residence in district, 5 months.

"Same number, Peter Berallo, age 26 years; residence in State, 9 years; residence in county, 9 years; residence in district, 5 months.

"Same number, Jimmell Miele, age 26 years; residence in State, 11 years; residence in county, 11 years; residence in district, 7 years."

I also offer from the registration list of the Ninth ward, Sixteenth district, as follows:

"680 Douglas street, Junnice Trotta, age 25; residence in State, 8 years; residence in county, 7 years; residence in district, 7 months.

"Same address, Joseph Remarta, age 30 years; residence in State, 13 years; residence in county, 7 years; residence in district, 7 months"

Mr. Magner:

I also object to all this testimony unless counsel afterwards connects the persons in the two districts.

The Chairman:

For the present the objection is overruled.

Mr. Magner excepts.

Mr. Kneeland (continuing):

"Same address, 680 Douglas street, Vigelant Cammari, 25 years old; residence in State, 10 years; residence in county, 10 months; residence in district, 7 months.

"Same address, Rosario Mieli, 28 years old; residence in State, 11 years; residence in county, 11 years, and 7 months in district.

"Same address, Peter Berello, 26 years old; 9 years in the State, 9 years in the county and 7 months in the district."

I also offer in evidence the following from the Twenty-second ward of the county of Kings:

"Fourteenth district. On page 82 of the printed book."

Objected to on the ground that it does not affect the district under consideration, the Twenty-second ward being out of the district, and on the further ground that they should not be received unless identified with the individuals already testified to about.

Objection overruled for the present; exception taken.

Mr. Kneeland (reading):

"No. 160 Seventh street, Nichiolas Famssilli, 32 years old; 10 years in the State, 10 years in the county and 4 years in the district.

"Same address, John Fennella, 28 years old; 8 years in the State, 8 years in the county and 8 years in the district.

"Same number, Vegelanti Cammerari, 25 years old; 10 years in the State, 3 years in the county and 3 years in the district.

"Same number, Vencienzo Miele, 26 years old; 10 years in the State, 3 years in the county and 3 years in the district.

"Same place, Rosaro Miele, 28 years old; 15 years in the State, 9 years in the county and 6 years in the district.

"Same place, Joseph Ramarta, 30 years old; 13 years in the State, 13 years in the county, 6 months in the district.

"Same place, Gimmee Trotta, 25 years old; 9 years in the State, 9 years in the county and 3 years in the district."

Mr. Kneeland calls for the poll list of the Sixteenth district of the Ninth ward and it is produced.

Mr. Kneeland read from the title page as follows:

"A statement of the board of inspectors. Patrick Kearney, chairman, Union street near Classon; Albert Winterson, 690 Douglas street; Gustav Stemmler, 739 Washington avenue; Richard Niolds, Washington avenue near Carroll, poll clerk; Thomas Devine, 1019 Union street; Frank T. Reeve, 48 Park place."

Mr. Kneeland:

It appears in this poll list, which is the poll list of the persons who voted at the last election, as follows:

G in the first line showing that it is challenged. The name is James Trotta, 680 Douglas street, age 26, votes ballot 199.

Same place, right immediately under it, G denoting general challenge, 680 Douglas street, Rosario Millie, age 28, vote No. 200.

Immediately under that G for challenge, 680 Douglas street, Peter Borelle, age 26, vote No. 201.

I also read from the poll list showing the votes cast in the Fourteenth election district of the Ninth ward as follows:

"872 Bergen street, Jimmie Trotta, age 25, vote No. 208.

"Same place, 872 Bergen, Jimmell Mile, age 26, vote No. 209.

"872 Bergen street, Peter Berbalbo, age 26, vote No. 211."

These three are together excepting that there is one vote, No. 210, intercepted between them.

I now call for the official canvass for assembly in the Second district of the county of Kings.

It is produced.

Frank L. Barnard, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Kneeland:

Q. What is your business? A. Clerk in the office of the county clerk of the county of Kings. In the canvass last November I was appointed deputy clerk, and acted as secretary of the county board of canvassers.

Q. Did you make a canvass of the returns for Member of Assembly in the Seventh district? A. I did.

Q. Was this canvass made from the returns as filed in the county clerk's office? A. Yes, sir.

Q. By the several districts? A. Yes, sir.

Q. Was the canvass made by you the basis of the canvass reported to the Secretary of State? A. It was; yes, sir.

Q. And have you that canvass with you? A. I have the tally sheet of the board of county canvassers of the Seventh Assembly district.

Q. Made by you? A. Made by me.

The paper referred to, or so much of it as applies to the Seventh Assembly district, is offered in evidence, showing the number of votes cast according to the official canvass.

Q. Have you with you the official canvass that is filed in the county clerk's office? A. I have the return of the district canvassers as filed in the county clerk's office.

Q. That paper you have in your hand is one of the returns from which you made this official canvass? A. Yes, sir.

Mr. Kneeland:

I desire to read from page 23 the report of the canvass for Assemblyman in this district:

The whole number of votes cast for the office of Member of Assembly for the Seventh district was 307.

Of which Stillman F. Kneeland received 206 (the words "two hundred and six" being written out and no figures).

Of which William Hughes received 71.

Of which Andrew Anderson received 6.

Of which Andrew G. Cheney received 1.

Down at the bottom it states, "blank votes, 2;" "defective votes, 1."

There are no sample ballots at the end.

This is introduced for the purpose of showing that the total number of votes cast is 307, and the word "twenty" in the votes cast for Mr. Kneeland was evidently left out by mistake. In each of the other two copies which the law requires to be filed, the number is printed "226," and I presume it will be conceded that it should be so here.

In connection with that I read the vote of the Secretary of State for the same district:

Whole number of votes cast, 307.

Of which John Palmer received 222.

Of which Cord Meyer received 76.

Of which Joseph A. Bogardus received 6.

Scattering, 3.

I now ask the county clerk to give me the official canvass filed in the county clerk's office from the Seventh district of the Eleventh ward.

I read from page 23 of this return as follows:

Whole number of votes cast, 222.

Of which William Hughes received 141.

Of which Stillman F. Kneeland received 59.

Of which Andrew Anderson received 4.

Of which Andrew G. Cheney received 9.

Blank votes, 4.

Defective votes, 7.

These seven defective votes are attached to the return, and the defect which is claimed consists in the paster not being long enough to cover the whole paper.

At the end of the return, under the heading of "blank page for ballots," there are seven ballots, of which four are made up of the Republican paster for all of the candidates named in the ward, including Stillman F. Kneeland, for Member of Assembly,

which is pasted over the official ballot, but does not cover the whole length of the official ballot. There are four of these.

Another of these contains the Republican paster, the general paster, over the official ballot, with one name cut out in the center, but with the name of Stillman F. Kneeland, for Assembly, on the paster. The paster is all upside down as to the original ballot, and does not cover the entire length of the ballot.

Then there is another ballot, which is so glued together that we can't tell what the difficulty with it is.

Then there is another paster in favor of my friend Mr. Hughes, which is made up of the entire Republican paster put over the official ballot, with "William Hughes" pasted upon it. This is counted defective and would give Mr. Hughes one more vote.

The book read from is offered in evidence. It is marked Exhibit No. 1, January 12, 1894, in which the whole return of the board of canvassers for Assembly in the Seventh district of the Eleventh ward is contained.

Mr. Kneeland calls for the official canvass for the Fourteenth district of the Eleventh ward and it is produced.

Mr. Kneeland:

I desire to read from page 23 the return from the vote for Assembly:

The whole number of votes for the office of Member of Assembly for the Seventh district was 288.

Of which William Hughes received 207.

Of which Stillman F. Kneeland received 72.

Of which A. G. Cheney received 1.

Of which A. Anderson received 2.

Defective votes, 6.

Also pages 40 and 41, containing the official Democratic ballot, and with the numbers opposite each one stating the number of votes cast for such individual.

Pages 42 and 42 contain the official Republican ballot, with the numbers oppcsite each person stating the number of votes cast.

Pages 44 and 45 are the same for the Socialists.

Pages 46 and 47 are blank, with the names of three of the canvassers attached to them, viz.: John E. Bauer, John Cassin and William Kane.

Pages 48 and 49 are blank, with the names of all the board of canvassers signed at the bottom, except the chairman.

Pages 50 and 51 are blank, with the names of John E. Bauer and John Cassin.

Pages 52 and 53 are blank, with the same names, Bauer and Cassin. The other pages are blank.

The book is marked Exhibit No. 2, January 12, 1894.

Mr. Kneeland:

Referring now again to Exhibit No. 1, January 12, 1894, I will say that on page 45, the ballot thereto attached, which it was stated was gummed together, has been opened by the committee for the purpose of showing that that alleged defective ballot is a paster ballot like the others, placed over a regular ballot containing the name of Stillman F. Kneeland, for Assemblyman.

Mr. Magner objects to this ballot on the ground that it does not appear that at the time the board of canvassers made their canvass this ballot was not then sealed and closed as it was when presented to the committee. And that before this ballot can be counted it must be of that character of ballot which could legally be counted by the board of canvassers at the time they made their canvass.

The Chairman:

The committee are of the opinion that Mr. Magner is substantially correct in his proposition, but at this time we do not deem it proper to exclude that evidence. But unless it is supported by evidence showing that the ballot was not defective, or that it might be inspected at the time of the canvass of the votes, we think it would be unjust to include it in the count eventually. That is a question that will come up before the whole committee. It is received for the present under that aspect of the case, but will not be included in the count unless the contestant proves that it was in a different condition when presented to the board of canvassers from the condition in which it is presented here.

The chairman further states that when this ballot was presented before the subcommittee, the ballot was gummed together, so that the bottom of the ballot was gummed to the top of the ballot in such a way that the contents of the ballot were entirely

concealed, and that the contents could not be discovered until the ballot was torn open by the members of the committee; that the committee caused the ballot to be opened so far as to reveal the contents of it, with reference to the Seventh Assembly district, and it revealed the fact that the paster ballot contained the name of Stillman F. Kneeland for Member of Assembly.

Mr. Kneeland offers in evidence the poll-list received from the county clerk's office of the Fifteenth district of the Ninth ward, for the purpose of showing the absence in the entire list of the names of any persons who voted, assisted, or who were challenged, these columns being absolutely blank under the column of "remarks," which specifies at the top that the poll-clerk shall note a memorandum of every instance of a voter receiving assistance from another person in voting, stating the name of such voter, the reason for requiring such assistance as sworn by the voter, and the name of the person rendering such assistance, under chapter 680, section 107, of the Laws of 1892.

Mr. Kneeland states that in the second column, which gives the oaths, and which the law requires shall be marked "G" or "P" (G standing for general and P for preliminary), there is no record; that the lapse of hours is recorded, as required by law, by the initials.

Mr. Kneeland now offers in evidence the Sixteenth district of the Ninth ward, for the purpose of showing that all oaths given were general, marked by "G". It is seen that under the heading of "Oaths", the letter "G" appears twenty-four times, and the letters "P" "K" appear ten times.

Mr. Kneeland:

I also desire to read in evidence the names of the persons who are down here as being assisted, and the persons who assisted them:

James McGrath, Washington and Crown streets, assisted by John Hannon. Can't see.

John Murphy, 978 Union street, assisted by John Hannon. Can't see.

One O'Hara, 983 DeGraw street, assisted by Thomas Cavanagh. Can't see.

Edward Reilly, Carroll and Franklin, assisted by James Keagan. Can't see.

Patrick Kelly, Crown and Washington, assisted by John Hannon. Lost sight.

Patrick Kegan, Franklin and President streets, assisted by John Wilton. Can't see.

William Guinan, 726 Butler street, assisted by Thomas Cavanagh. Lost sight.

Philip Fenn, 119 Montgomery, assisted by Joseph Connor. (No remarks.)

James Daley, Franklin and Montgomery, assisted by John Hanna. Loss of sight.

Michael Shieren, Franklin and Montgomery, assisted by John Bamber. Lost sight.

James Smith, Union and Classon, assisted by John Hanan. Lost sight.

Patrick Deer, DeGraw and Washington, assisted by Thomas Cavanagh. Lost sight.

Patrick Moran, Union street and Classon, assisted by Morris Fruin. Lost sight.

Thomas Kneeland, 992 DeGraw street, assisted by Morris Fruin. Lost sight.

Thomas Sullaran, Union and Classon, assisted by James Kennedy. Not see.

Morris Lahey, 19 Union, assisted by Morris Ahearn. Can't see.

William Maran, 981 Eastern parkway, assisted by Morris Fruion. Can't see.

All of these persons have marked opposite to them in the column of oaths the letter "G."

Mr. Kneeland:

I offer the entire poll list of the Sixteenth election district of the Ninth ward, as filed in the county court house, in evidence. And I ask that there shall be entered upon the minutes simply those that are marked as challenged or assisted.

The first challenged is Franklin Eastman, 928 Franklin avenue.

Michael J. Fagan, 719 Douglas street.

John J. Fay, 754 Butler street.

Gustave W. Thompson, being duly sworn and examined as a witness for the contestant, testifies as follows:

By Mr. Kneeland:

Q. You reside where? A. 53 Park place.

Q. And you did reside there at the last election? A. I did.

Q. You were president of the organization known as the Citizens' Union in the city of Brooklyn at this last election, were you not? A. Of the Ninth ward, yes.

Q. Did you prior to the election examine the registry lists of the different election districts in the Ninth ward for the years 1892 and 1893, for the purpose of ascertaining relatively whether they had increased or decreased? A. I examined the published records of such registration.

Q. You mean those that were published by the board of elections? A. Published in the papers, but which I subsequently confirmed and found to be correct. (I have found no reason since to question them.)

The part of the answer in parenthesis is objected to and stricken out upon motion.

Q. Did you subsequently compare them? A. I subsequently made comparison from what I know of the facts—

Objected to; question withdrawn.

Q. Were you officially connected with the election on the 7th day of November, 1893, in any of the election districts of the Ninth ward? A. I was.

Q. What district? A. The Sixteenth district.

Q. What was your relation to that district? A. I was regularly appointed Republican watcher for that district.

Q. What time did you arrive there? A. Between the hours of 1 and 2 in the afternoon.

Q. After you arrived there where did you stand? A. I stood outside the guard-rails in the election-room.

Q. Were any of the Republican watchers inside the guard-rail? A. There were no Republican watchers inside the guard-rail.

By Mr. Magner:

Q. Were you appointed by the Republican committee? A. I was.

Q. Did you have your proper paper? A. I did.

Q. Did you exhibit it to the election officers there? A. I did.

By Mr. Kneeland:

Q. Are you a Republican? A. No, I am not; I am a Democrat.

Q. Did you observe whether there was any electioneering going on within 150 feet of the polling place? A. I did.

Q. What did you ascertain in relation to that? A. I observed on several occasions the handing of pasters inside the polling-place.

Q. Inside the rail? A. No, not inside the rail, but over the rail in one or two cases, but inside the polling-place in five or six cases, as near as I can remember.

Q. Handing of pasters to whom? A. To voters.

Q. Did you notice from the badges on the persons who handed them whether they were Democrats or Republicans? A. I did.

Q. What were they? A. Democrats.

Q. Were there a large number of persons there wearing the Democratic badge? A. There were.

Q. About how many would you say right in that vicinity, I mean in the room or right immediately in front of the polling-place on the sidewalk? A. There were in many cases as many as five; in other cases they went out and came in, but several cases, in fact quite frequently, there were as many as five.

Q. When these pasters were handed to the voters, were they handed in the presence and view of the inspectors of election? A. There was no attempt at concealment.

Q. Could they see it? A. They could have seen.

Q. Did you call their attention to this in any case? A. No, I did not.

Q. Did you observe whether any person inside the rail handed any pasters to voters? A. No, I did not observe any such handing.

Q. Were there any persons there during the time that you remained there that voted assisted? A. There were, yes.

Q. Did you see them when they came in? A. Yes.

Q. Did any one come in with them at the same time they came in, or did they call some one in afterwards? A. They usually came in accompanying them.

Q. Was your attention especially called to them as soon as they announced that they desired assistance? A. My attention was not called to them; I saw them as soon as they announced it.

Q. And after that did you pay special attention to them for the purpose of ascertaining whether or not they were blind? A. I did.

Q. Did you see them when they received their ballots? A. I did.

Q. Did they go up and get the ballots themselves unassisted; how did they come up? A. They came in through the opening in the bars and walked up to the counter where the ballots were.

Q. They would do that unassisted; did any one lead them along? A. I can't say that in every case; in some cases they were assisted; there was one case in particular in which the man was so drunk he couldn't possibly get in unless he was assisted.

Q. And he took the oath and was assisted for blindness? A. I can't say whether in that case he was or not.

Q. Was he assisted? A. I don't remember whether he was assisted in casting his vote or not.

Mr. Magner asks that all reference to the drunken case be stricken out. Stricken out so far as this witness is concerned.

Q. Can you state from your observation whether or not any of those persons who were assisted on the alleged ground of blindness were absolutely blind? A. I can't say that they were absolutely blind, any of them.

Q. Can you say whether or not some of them were not absolutely blind in your observation. A. Yes.

Q. As to what proportion of them? A. I can't say what proportion; I should say a large proportion.

Q. And as to those persons last referred to, did they have any indication of difficulty in their eyesight at all, except their claim? A. In a large proportion of cases there was no indication at all that they were blind.

Q. Did they have glasses on? A. No.

Q. Was there any appearance of blindness in their eyes when they came out? A. In a large proportion, no.

Q. Were they led out, or did they come out of their own accord? A. Well, they were partially led; I can't answer that question definitely; they were led, and they were not led; they

came out together; the party that went with them may have had his arm around them and led them out in that way.

Q. Do you know, one way or the other? A. I don't know one way or the other.

Q. Did you see any of them after they left the polling place? A. No.

Q. Did they have canes? A. A large proportion had not.

Q. Did you make any challenges there? A. I did.

Q. Whom did you challenge? A. I challenged three Italians, the three Italians whose names have been mentioned as having voted there and were challenged; Jimmie Trotta and the other two; I can't remember distinctly what other challenges I made.

Q. When you made any of these challenges what was the effect?

Objected to.

Q. What was done? A. I was threatened with various treatments of one kind and another, among which was a threat from Thomas F. Byrne that I would be thrown out of the window.

Q. Who is Thomas F. Byrne? A. Ex-Assemblyman from that district.

Q. A Democrat? A. A Democrat; yes, sir.

Q. Was that when you made your challenge? A. That was after making a challenge, yes.

Q. Was that after you challenged these Italians? A. That was before the challenging of the Italians.

Q. Did this threatening talk continue during your different challenges? A. Pretty much during the whole time I challenged, and later on in the afternoon my challenges were admitted.

Q. You know the fact, then, that those three Italians were challenged? A. I know that they were, yes.

Q. Did you notice whether anyone went into the booth with these people when they had not taken the oath of assistance; whether when persons went into the booth to vote, who hadn't claimed disability at all, whether anyone went in with them or stood in the doorway? A. Yes.

Q. To any great extent? A. Yes, repeatedly during the afternoon.

Q. Who was the person? A. Policeman No. 278, I think.

Q. He was policeman in charge under the inspectors there A. Yes; his name was McManus.

Q. He was there in his full uniform? A. Yes.

Q. What was he doing, or pretending to do, in those booths? A. He was holding a candle for the voters to see by.

Q. They didn't have any candle-stick with the candle? A. No.

Q. Then he assumed the responsibility of candle-stick? A. He did.

Q. Then the fact is that from time to time during the afternoon this policeman went in with these people and held a candle there inside while —

Objected to. Objection sustained.

Q. Were there any other living candle-sticks there, any other persons who held candles for people? A. No, not as I remember.

Q. Then he assumed the entire responsibility of that office? A. Yes.

Q. Was he in a position where he could see the people when they folded their ballots? A. I should say that most of the time, in most cases, he was.

Q. Was the door open while he was holding this candle? A. Yes.

Q. Where did he stand? A. He stood in the doorway.

Q. Partly in and partly out? A. Partly in and partly out.

Q. The people at that time who were voting in the other booths voted unassisted by candles, didn't they? A. Yes, sir.

Q. Do you know whether any intimation was given to this policeman in regard to the persons that he should light up in that way? A. No.

Q. He assumed a personal responsibility in regard to that, so far as you could see. A. Yes.

Q. Was there anything said to him on account of this when you were there? A. Yes.

Q. By whom? A. By me and by the Republican inspector, Mr. Winterson.

Q. What was said? A. He was told mildly that he should not do it.

Q. Did you tell it to him mildly? A. I did.

Q. You were afraid to tell it to him any other way? A. No, I wasn't afraid at all.

Q. What did he answer to that? A. He protested that it was necessary for the voters to have the light.

Q. He didn't suggest that he could substitute a metal candlestick, did he? A. No.

Q. There were shelves in there to put that candle on? A. Yes.

Q. And he continued after these objections from time to time all the afternoon? A. Yes.

Q. Did he state to you, or to any of these other people, that you hadn't any right to dictate as to his duties? A. No.

Q. He answered mildly and you argued mildly; it was a love party so far as that was concerned? A. So far as that was concerned, yes.

Q. Did you note any altercation, any throwing out or kicking out of watchers from the polling place while you were there? A. I did.

Q. About what time of day? A. I don't remember the exact time, but it was shortly after Jimmie Trotta and his two Italian friends voted.

Q. Who was thrown out at that time? A. Mr. E. J. Chapman.

Q. Is he here? A. He is here.

Q. What was the occasion of his being thrown out; how did it come about? A. I, and I think Mr. Chapman assisted me by backing up my challenge, challenged these three Italian voters, and the place was very crowded with Democratic electioneers at the time, and we were both standing outside the guard-rails, and the ruling was made, I think it started from the electioneering but went to the chairman, that we only had a right to one watcher there; I protested that we had a right to two, and insisted upon it, and at that moment I said to Mr. Chapman: "You had better follow these Italians and see if you cannot find where they go to." He turned around to go in the direction of the door, and the Democratic watchers immediately laid hands on him and assisted him in his exit.

Q. Was that in the presence of the police? A. It was.

Q. Within the full view of the police? A. Within the full view of the police.

Q. Did he cry out? A. He made no cry.

Q. He went mildly out? A. He went mildly.

Q. How long before he returned? A. About half an hour.

Q. Did he appeal to the police at all, to your knowledge? A. No, not so far as I remember.

Q. Was that policeman present who held the candle? A. Yes.

Q. Was there any other there? A. There was a special policeman there nearly all the time.

Q. With his badge on? A. With his badge on.

Q. In the inside? A. In the inside; I would like to add in regard to the policeman, that when I went there first this special policeman was not there, but there was a sergeant or some one that relieved him; and it was shortly after I arrived there that this McManus came and relieved the other policeman.

Q. But the candle-bearer remained there all the afternoon? A. After his arrival; yes, sir.

Q. And how far were the inspectors of election, the chairman for instance, from where he was holding this candle? A. The farthest distance at any time I should put at about seven feet.

Q. And plainly in view all the time? A. Plainly in view all the time.

Q. Were there any objections on the part of the Democratic inspectors of election or the chairman? A. I believe on one occasion, when I protested against it, he did speak to the policeman.

Q. What did he say? A. I can't remember what he said.

Q. After that did the policeman go in again? A. He did.

Q. What did he say to the policeman? A. I can't remember what he said.

Q. What did the policeman do in consequence of what he said? A. He did not, except momentarily, pay any attention to what was said, so far as altering his acts.

Q. Did he keep his light burning? A. Yes, sir.

Q. He kept that burning all the afternoon, didn't he? A. Yes.

Cross-examined by Mr. Magner:

Q. What is your business? A. Chemist.

Q. Where is your place of business? A. Marshall street, near Gold, Brooklyn.

Q. How old are you? A. I am 28.

Q. Did you ever act in the capacity of watcher, or elector, or official before this year? A. I have acted as watcher before this year.

Q. For what party? A. The United Labor party.

Q. You have been a member of the United Labor party? A. I was in the year of 1887.

Q. That was the time Mr. Clancy was the candidate? A. Yes.

Q. After that you became a Democrat? A. Immediately after that.

Q. And this year you were with the Citizens' party? A. I was.

Q. You held a certificate as Republican watcher? A. I did.

Q. I presume you class yourself as a Republican this year? A. No, I do not.

Q. Or would you come under that much abused designation, Mugwump? A. I honor the title; I don't know as I could say I could be considered a Mugwump this year.

Q. What sort of a place was this polling-place? A. It was a very small place; I should judge it was a store.

Q. How wide was it? A. I should judge that the frontage was about fifteen feet, and in depth about ten or twelve feet.

Q. Was it in this room that the polling-place was located and all the voting took place? A. Yes.

Q. Were the booths in this room, too? A. Yes.

Q. And the tables for the election officers and the ballot-clerks, etc.? A. Yes.

Q. How was this place lighted? A. It was lighted from the door, and I am not certain whether one or two windows.

Q. How large were those windows? A. The window that I know existed near where I stood was about four and one-half feet high and two and one-half feet wide.

Q. And the other was about the same? A. I don't remember the other window; I understand there was another window, but I don't remember it.

Q. How high was the ceiling in this place? A. About eight feet.

Q. I take it that in the rear of this room the light was very bad? A. The light was not as good as near the door.

Q. But it must have been pretty bad at the rear end of the room? A. Yes, I should say it was pretty bad.

Q. And of course in these booths, with the doors to obscure further, it must have been quite dark? A. I couldn't say; I wasn't in the booths.

Q. But from your knowledge of the amount of light that went into these booths, and considering the appearance of the booths, you certainly must know that the light in those booths was very obscure? A. I can't say that I know; I don't know.

Q. You know that there were artificial lights used there that day? A. Yes.

Q. Do you know whether the board of election officers ordered that? A. I don't know that they did order it.

Q. You knew that they had a right to order it? A. Yes.

Q. You know that the law provides for artificial light in cases of that kind? A. Yes.

Q. And you know that this policeman was lighting these candles in order to give artificial light? A. Lighting this candle, yes.

Q. How many candles did he have? A. He only had one candle at the time; that may have burned out.

Q. Do you know whether the candles were in the booths or not? A. There was only one candle that I saw, and when the doors were open if there had been a candle in any one of them lighted I would have seen it.

Q. But you didn't go in the booths? A. I did not.

Q. You know that charges were brought against this policeman. A. Yes.

Q. And that a thorough investigation was had?

Objected to. Objection sustained.

Q. Were you a witness before the police commission at the trial of this man? A. I was.

Q. You gave your testimony there? A. I did.

Q. You know that other witnesses were summoned there and gave their testimony in your hearing? A. Yes.

Q. You know that the policeman himself adduced witnesses to testify in his behalf? A. There were witnesses there that testified in his behalf.

Q. You know that the charges that were there made were that he exceeded his authority in regard to these candles.

Objected to.

Q. Did you make a complaint? A. I did not.

Q. You say that there were a large number of people electioneering within 150 feet of the polling place?
A. Yes.

Q. Did you visit any other polling place on election day? A. Yes.

Q. Didn't you observe the same thing in the others? A. In that part of the ward, yes.

Q. Have you visited any other part of the city on election day? A. I was down on Fifth avenue and on Flatbush avenue; those were the only two other locations that I was in.

Q. But you haven't given a general visit to parts of the city on election day? A. No.

Q. Are you aware of the fact or not, that it is generally the fact that the regulation in regard to electioneering within 150 feet of the polling place is not enforced?

Objected to. Objection sustained. Exception taken.

Q. There was electioneering, you claim, within 150 feet of the polls? A. Yes.

Q. The electioneering was done in the Republican districts as well as the Democratic in these districts under investigation?

Objected to.

Q. You went into Republican districts in the Ninth ward? A. I went into the Nineteenth district; that is my own district.

Q. That is Republican, isn't it? A. It is, this year.

Q. Did you observe the people about the polling place there discussing and electioneering? A. There was some outside the polling place on the walk, quietly walking up and down.

Q. And they had badges on and carried election papers? A. Yes.

Q. And handing out pasters? A. I saw no handing of pasters.

Q. At this particular place did you not observe the Republicans as well as Democrats where you were watching? A. I saw one Republican, who was, I presume, from the committee of the ward committee visiting the districts. He came there for a few minutes in the afternoon; I could not say he was electioneering.

Q. Did you see any others? A. No. I did not.

Q. Was there any effort made to prevent Republicans from electioneering there any more than Democrats?

Objected to. Objection overruled. Exception taken.

A. I did not see any.

Q. Did you see any discrimination used by policemen or election officers to prevent the Republicans from electioneering, if they so desired? A. No.

Q. Did the election officers, the inspectors or clerks make any protest whatsoever about the manner in which the work was being conducted? A. At several times they cleared the room because there were too many Democrats wearing badges in the room.

Q. They cleared the room? A. Yes, sir.

Q. There wasn't any physical resistance offered to their proper mandates? A. Oh, no.

Q. And there wasn't any desire on the part of these Democrats not to obey?

Objected to. Objection sustained.

Q. Was there outward desire evinced by Democratic workers or otherwise to disobey the lawful mandates? A. Does that include the policemen?

Q. No, the people who were electioneering? A. No.

Q. So that the only person who disobeyed their mandates at any time was this policeman? A. Well, it depends on what you mean by disobeyed.

Q. I mean that when the election officers promulgated any decision— A. They said they shouldn't occupy the place, and if they went out and came back again I should say that was disobeying.

Q. And the only person who didn't obey the mandates of the election officers was this officer?

Objected to.

Q. Were there any persons other than the police officer who willfully disobeyed? A. The police officer did not immediately go into the booths after being told not to go in there, but it didn't take him very long to commence again.

Q. And every time he went in it was with this candle? A. I wouldn't say that every time he went in; so far as my knowledge goes, yes.

Q. And you do know that a number of voters came out and asked for light? A. No, I don't.

Q. You testified that some of the voters came out after going into the booths and requested the use of the light; isn't that a

fact? A. I don't remember testifying that; I remember only one occasion where there was any complaint about the light.

Q. You know the fact that some one did go in the booth and come out and say he wanted a light? A. I can't say that he said that, even if he expressed a desire for light.

Q. And the policeman then brought the candle? A. I don't know that.

Q. Did the election officer insist that people should keep 150 feet away from the polling place at any time that you were there? A. No.

Q. No one was ordered away? A. No one was ordered 150 feet away.

Q. You have testified that men came there and swore to physical disability in the nature of blindness and that in your judgment these men were not blind? A. In my judgment none of them were totally blind.

Q. You did observe that they came accompanied by some friend? A. Yes.

Q. That this friend had hold of them by the body or arm? A. I can't say that in every case; they were accompanied by the people.

Q. And that some of them went into the booths with them and came out and went away with that friend having them by the arm? A. Yes, sir.

Q. How close did you get to them? A. I went within three or four feet.

Q. Did you examine them as to their eyesight critically? A. Not critically, no.

Q. Did you go in front of them and look into their eyes? A. I made no critical examination.

Q. You are a chemist? A. Yes.

Q. You know something about physiology and kindred subjects? A. Yes.

Q. You know it is possible for a man to have defective eyesight and present no strange appearance of the eyes? A. Yes, I know that.

Q. And that unless a critical examination was made it would be impossible to discover that fact? A. By looking at the eyes, yes.

Q. You know those men that went in there and swore under oath that they were physically incapacitated by reason of blindness? A. Yes.

Q. And you made no critical examination of them? A. No critical examination of the eye.

Q. In the face of that are you willing to swear that those men were not blind? A. No, I am not willing to swear that.

Q. In regard to the challenges, these Italians, Jimmie Trotta and his friends, were they challenged by you? A. They were challenged by me.

Q. They took the oath? A. Yes.

Q. It was administered by the election officers? A. Yes.

Q. And properly administered? A. Yes.

Q. And after the oath was administered they went in and cast their ballot? A. Yes.

Q. Every opportunity was given you to question these Italians? A. No.

Q. There was not? A. No.

Q. Is this the case where Mr. Byrne said you would be thrown out of the window? A. No.

Q. Who prevented you from questioning these Italians? A. The chairman of the inspectors.

Q. What did he say? A. He said there were certain questions laid down in the books and those were the only questions he was going to ask.

Q. And he asked those questions? A. He asked those questions.

Q. Do you know that he asked all those questions? A. I don't know that he asked all the questions.

Q. What is your belief? A. I believe he asked all the questions given in that preliminary, and I think in the general oath.

Q. So that as a matter of fact he complied with the law as stated in the election book? A. Yes, as far as I understand it.

Q. You spoke about Mr. Byrne and some of these men telling you they would throw you out of the window; they didn't physically molest you at any time, did they? A. No.

Q. They didn't lay hands on you? A. No.

Q. Nor did they threaten to lay hands on you other than the words they used? A. Not that I saw.

Q. Of course you would see them? A. When a person talks that way I usually turn away from them; as far as I know they didn't.

Q. And it was only the usual dispute that takes place between two men that are angry and words of that kind? A. No, I can't say that.

Q. You were not in bodily fear? A. I can't say whether I was or not; I don't usually show much fear.

Q. You didn't expect Mr. Byrne was going to throw you out of the window? A. I must say I didn't expect he was.

Q. You knew it was an idle threat? A. No, I didn't know it was an idle threat; I know he might do it in some cases, but to me he wouldn't do it.

Q. In regard to this man Chapman that was put out of the polling place; he was put out by order of the board of officers, wasn't he? A. Yes; I can't say it was a specific order; it was practically an order.

Q. And the policeman carried out the orders? A. The policeman had nothing to do with it.

Q. Who was it? A. He went towards the door and the electioneerers assisted him in his exit.

Q. You know that the board of election officers have a right to call on the citizens to assist them, don't you? A. I understand if the policemen don't do it the officers have a right to call on others.

Q. You know the policeman wasn't requested to go into the booth by the election officers? A. Yes.

Q. You know on the contrary he was told not to do it? A. Yes.

Q. And it was his own voluntary act? A. Yes.

By Mr. Elliott:

Q. Is it not a fact that Mr. Byrne took charge of the election district on that day? A. I understand from his own words that he had charge from the Democratic party of the ward of that election district on that day.

Q. And did he or not give instructions to the inspectors of election what to do in any and every occasion when any question came up? A. He spoke with authority.

Q. There were but four booths in that polling place? A. Four.

Q. Do you know that the law requires five? A. One for every fifty, which would mean at least five.

Q. There were over 300 registered? A. No; 258, I think, or 268, and I think 258 voted.

By Mr. Magner:

Q. Do you know at any time whether any person was prevented from voting from lack of election accommodations? A. No, I don't know that anyone was.

Q. There was no complaint made of that? A. There was no complaint made on that score.

Q. You say Mr. Byrnes spoke with authority? A. Yes.

Q. What do you mean? A. I mean with a tone of authority; he said this must not be done, and the chairman of inspectors listened to him and voiced his sentiments in giving his instructions.

Q. That is, the inspector thought he was the man whose word and judgment was entitled to weight and authority? A. Yes.

Q. And when he thought he was right he followed him? A. Yes.

By Mr. Elliott:

Q. Is it or not the fact that there were persons who were kept waiting to vote during the day by reason of there being four booths? A. Yes.

By Mr. Magner:

Q. But they were afterwards accommodated? A. They afterwards voted, so far as I know.

Adjourned to 2 o'clock P. M.

After Recess.

Mr. Kneeland offers in evidence page 23 of the official returns of the canvassers of election for the Second district of the Eleventh ward, that being the page relating to the Assembly, as filed in the police headquarters, as follows:

"Whole number of votes cast for member of Assembly for the seventh Assembly district, 307; of which Stillman F. Kneeland received 226; of which William Hughes received seventy-one; of which William Anderson received; six of which Andrew G. Cheeney received one; blank votes, two; defective votes, one."

This is offered for the purpose of showing the omission of the word twenty in the official vote as counted. This is supposed to be a duplicate of the book already marked in evidence from the county clerk's office relating to said district.

Edward H. Quantin, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You are in the business of real estate? A. I am, sir.

Q. And you were during the year 1893? A. Yes, sir.

Q. And as agent did you have charge of the premises No. 872 Bergen street. A. Yes.

Q. And do you know who occupied those houses during the month of November? A. I do, sir.

Q. I ask you now specifically whether Rosari Miele, Joseph Ramarta, Jimmie Trotta, Vigleanti Cammerari, Peter Berrallo and Jimmell Miele live in that house? A. No, sir.

Q. Were they ever tenants in this house since you had charge of it? A. Not since the spring of 1893; not since we had charge of it?

Cross-examined by Mr. Magner:

Q. Who owns these houses, 872 Bergen street? A. A gentleman by the name of M. W. Cooper.

Q. Where does he live? A. New York city.

Q. What is his business? A. I don't know as he is in any business.

Q. What part of New York city does he live in? A. Somewhere away up town; he changed his address lately; I can't tell you exactly.

Q. Have you it in the office? A. Yes.

Q. Will you agree to furnish it to me during the day? A. Certainly; I will send it to your office.

Q. What kind of a house is 872 Bergen street? A. It is a four-story double tenement house, two stores and three double apartments above.

Q. How wide is the house? A. I don't know; I guess that building is about 25 or 26 feet wide.

Q. About how deep? A. Well, the building is perhaps 50 or 55 feet deep.

Q. It is what is known as a double railroad flat? A. Generally called a double-decker.

Q. That is, they have apartments for tenants running on either side of the house, divided in two from the street to the rear? A. That is right, sir.

Q. And the rooms are strung out, one after the other, one room following the other in succession? A. That is right.

Q. And these are subject to division? A. No, sir; one family each side.

Q. All the way up? A. Yes, sir.

Q. That is the way you let it? A. Yes, sir.

Q. What rents do you charge for that? A. Well, we are getting at present $10 for the first floor for one half, $9 for the next and $8 for the next; I won't say that in all buildings, for the simple reason that the building at the foot of the row is a smaller building.

Q. For each apartment? A. Each apartment, which would make $16, $18 and $20 for the floors.

Q. There are how many apartments in the house? A. Six over the stores.

Q. That makes eight different tenants? A. Yes.

Q. Do you know the names of these tenants? A. I did at that time.

Q. Can you tell me now? A. I can from memory; the first store was occupied by Lewrey.

Q. What is his first name? A. He has been an old tenant of ours for a good many years; I forget his name; he is in the fish business; there is only one Lewrey there; in the east store there is a man by the name of Baffa.

Q. What is his nationality? A. He is an Italian.

Q. And then the first floor above that? A. The first floor is vacant, and the first floor over the fish market is occupied by Lewrey, the fish man.

Q. What is Lewrey's nationality? A. I guess he is an American.

Q. Do you know? A. No, I won't swear to it; I should judge he was.

Q. Do you know what family he has? A. A wife and one or two children.

Q. Are they small children? A. Oh, yes; he is a young man.

Q. And he occupies the whole store floor and the floor above? A. The westerly half and the floor above.

Q. He occupies a complete store and a complete set of apartments above? A. Yes.

Q. And he has only two small children and his wife? A. Yes, and a man boarding with him by the name of Frank O'Brien.

Q. Do you know this of your own knowledge. A. I do, yes.

Q. How did you ascertain that? A. Because I was very careful to go through the building from top to bottom and ascertain everybody that was in the house.

Q. When? A. Prior to election.

Q. Did you go alone? A. Yes, entirely alone.

Q. Who occupies the other flat on the first floor? A. It is vacant, sir, or was at that time.

Q. How long has that been vacant? A. I couldn't tell you that without consulting my books.

Q. Was it vacant three or four months? A. Oh, yes; fully that.

Q. Was it vacant a year? A. We didn't have the property until spring.

Q. Now the second floor above the store? A. On the east side it was occupied by a man by the name of Bernard Rensing, and his father-in-law, Bernard Muller, who lived with the couple.

Q. Had they any children? A. No, sir; they are a young couple.

Q. Now the other half was occupied by whom? A. A man by the name of Richard Doyle moved in there October seventh.

Q. Who occupied it before that? A. That I couldn't tell you without referring to the books; it had been vacant for some months.

Q. Now the floor above? A. A man by the name of Thomas Dolan and Charles W. Gross on the other.

Q. How old is Mr. Gross? A. That I couldn't tell.

Q. Is he an old or young man? A. That I don't remember.

Q. Did you ever see Mr. Gross? A. I couldn't say for certain.

Q. You couldn't say? A. I don't know as to that.

Q. Do you collect the rents? A. No, sir.

Q. Who collects the rents? A. We have a man by the name of Norton.

Q. Do you do the letting? A. No, not especially.

Q. This is a top floor? A. This is a top floor.

Q. How many times previous to this one visit of yours did you visit that place, within three months? A. Well, that is a hard matter to state definitely; I suppose I have been through those buildings half a dozen times within the same number of months.

Q. Did you ever see Mr. Doyle there? A. I couldn't swear that I saw him personally.

Q. Do you know whether he is young or old? A. That I couldn't swear.

Q. Did you ever see Mr. Dolan there? A. That is a question it would be very hard to answer; we have seven or eight hundred tenants in the city, and I couldn't distinguish one man from another, meeting him casually.

Q. Can you answer the question? A. I wouldn't swear I saw him; no, sir.

Q. Did you ever see Mr. O'Connell? A. That is 870; that is next door.

Q. Did you ever see Mr. Gross there? A. I wouldn't swear to a certainty; I suppose I have seen him.

Q. But you don't know? A. I don't know; O'Connell doesn't live in 872.

Q. Who occupies the store? A. A man by the name of Lewrey on one side and Baffa on the other.

Q. Do you know what Baffa's first name is? A. I don't remember now.

Q. He is au Italian? A. He is an Italian.

Q. Do you know how old he is? A. I guess he is a man from 40 to 50.

Q. Do you know what business he is in? A. He keeps a grocery store.

Q. He is a man that has two children and his wife? A. No, sir; that is Mr. Lewrey.

Q. How many children has Baffa got? A. I don't think he has any; I have been through his apartments and didn't see any children there.

Q. Do you remember calling on Mr. Baffa at any time? A. Yes.

Q. Did you speak to him? A. Yes.

Q. You have had talk with him? A. Yes, sir.

Q. And all the others you don't remember? A. I could remember a majority of the tenants of the store floor because I see more of them; upstairs I might call and see the wife five times and not meet him at all.

Q. What time of day do you call? A. Any time; I don't make any special time to go up there.

Q. Do you call in the evening? A. No, I have never been there in the evening.

Q. Do you make any contracts with your tenants that they shall not keep boarders? A. We don't make any contracts with them.

Q. Do you ever restrict them in the use of their apartments as far as having boarders? A. Yes.

Q. Did you restrict any of these tenants? A. I don't remember whether I restricted any of these particular tenants; I have restricted some.

Q. At this house? A. I don't remember; I can't swear to a certainty.

Q. Is it possible you did or not? A. That I can't say now.

Q. You might have done so? A. I might have done so.

Q. You have a rule to restrict tenants in these houses not to take boarders? A. Not to have too large a number of people in the rooms.

Q. And of course if they violated any agreement to that effect they would be likely to conceal the fact, wouldn't they?

Objected to.

Q. Have you ever experienced in letting tenement flats that these tenants, whom you restricted in the privilege of having too many people, conceal from you the fact that they do bring in tenants or boarders?

Objected to. Objection sustained.

Mr. Elliott objects to the line of cross-examination unless it is confined to what transpired after this registration.

Q. You say that you visited this place once after the registration? A. Yes.

Q. And you visited there for the purpose of finding whether these people lived there? A. I did, yes.

Q. That is, you knew you had restricted the tenants in that house from taking in too many people and you wished to dis-

cover if they had violated that agreement, is that it? A. Not exactly.

Q. You only visited that once? A. I only visited that once.

Q. After registration? A. Yes, sir.

Q. Did you visit each one of these tenants? A. I did.

Q. What did you do when you visited them; did you make any investigation as to the number of beds they had in the house? A. I did.

Q. What did you discover? A. I discovered exactly what I have told you, that those were the only male occupants of the house.

Q. Did you see any male inhabitants of the house on the day you went there? A. I did; yes, sir.

Q. Tell me which one of them you saw? A. That would be hard to tell; I remember seeing Mr. Baffa; I remember seeing Lewrey; I remember seeing Bernard Muller, because I noticed that the father-in-law and the son-in-law had both the same Christian name; the other three I wouldn't swear positively that I saw, seeing that it was in the afternoon, and they might have been home and might not.

Q. Did you ask them whether they had any boarders? A. I did, sir.

Q. And they all said they didn't? A. I didn't ask them in that way.

Q. I didn't ask you as to any particular way; I asked you if you asked them if they had any boarders? A. And I said yes, which wasn't correct.

Q. Then you didn't ask them? A. Not that way.

Q. Did you ask them if they had any friends visiting them? A. In one sense, yes.

Q. In what sense? A. I inquired very minutely if they had any people staying with them.

Q. Then you didn't ask whether they had any boarders? A. I inquired thoroughly as to who was living there or boarding there.

Q. I asked you whether you inquired if they had any friends staying with them, and you said you didn't? A. I inquired who was living there, if they had any relatives there?

Q. You didn't ask if they had any boarders? A. I don't know that I used that specific word [but I was very particular to find out exactly who were the male inhabitants in each apartment.]

The part of the answer in brackets is objected to and stricken out upon motion.

Q. Did you specifically ask any of these people if they had any male relatives visiting them? A. I did.

Q. What did they reply? A. No, there were not any except the names I have given.

Q. Every one of them? A. Every one of them.

Q. Did you consider that the husbands of these people were male residents visiting them? A. No, sir.

Q. Please answer the question; do you know this Italian resident there? A. Baffa?

Q. Yes? A. Yes.

Q. Do you know him intimately? A. I don't know that I know any of our tenants intimately; I know him in a business way, that is all.

Q. How often have you visited him as a tenant of your house? A. I suppose I have seen him two or three times, or three or four; I can't tell.

Q. Did you ever visit his house and go through his apartments, every room? A. I have, yes.

Q. Did you on this occasion? A. I did, yes.

Q. Did you go through the store and every room? A. I did, yes.

Q. And did you investigate and see it? A. Yes, sir.

Q. Did you ask how many beds they had in those rooms? A. I had to go through the bed-room to get to the kitchen.

Q. How many rooms are there on that floor? A. Two rooms on that floor; the kitchen and living-room were adjoining.

Q. And a bed-room and a store? A. That is all.

Q. How many rooms in the apartments above? A. Four; two bed-rooms and a sitting-room and kitchen and dining room.

Q. The people who live there are humble, poor people? A. Yes, generally so.

Q. They are not used to sumptuous apartments; they are used to the bare necessities of living; that is a fact, isn't it? A. Yes.

Q. Do you know how many people they put in a bed? A. No, I don't know that; that I couldn't answer.

A. As a matter of fact, of your own knowledge, you don't know whether these men lived in that house, except the information that was given you on inquiry this time you have mentioned? A. I do; I do know positively.

Q. Other than the information that was given you by these tenants, when you called there on this occasion, what knowledge have you that these men did not live there and do not live there? A. Positive knowledge, from the way I got questions answered from the tenants.

Q. I asked you if you had any other knowledge than the information that the tenants gave you, and you said you had? A. I beg your pardon, I didn't understand you then; that was enough for me.

Q. Was that the only knowledge you had? A. That is the only knowledge any person could have; that is the only knowledge I have.

Q. Did you station anybody there for twenty-four hours; did you go there for the whole night and watch whether anybody slept there? A. No, I did not.

Q. Don't you think you could get more information that way than you could by going and asking the tenants if such a man lived there? A. No, sir, I do not.

Q. Don't you think the best knowledge you could obtain was the simple answers to your questions? A. The simple answer to the question such as I put to them.

By Mr. Elliott:

Q. Did you make known the object of your visit when you went there to make inquiry? A. I did not.

Q. You didn't tell them that you came there to find out whether persons were registered from there? A. No, sir.

Q. You simply made inquiry whether any such person lived in that place? A. That is all.

Edwin J. Chapman, being duly affirmed on behalf of the contestant, testified as follows:

By Mr. Elliott:

Q. You reside where? A. 420 St. Marks place, Brooklyn.

Q. And you voted where on election day? A. I voted at the polling place in the Twenty-second district in the Ninth ward.

Q. Did you act in any capacity on that day in the Sixteenth district in the Ninth ward? A. Yes, sir, as watcher.

Q. About what time of day did you go there? A. It was between 8 and 9 o'clock in the morning.

Q. How long did you stay? A. I remained there, with the exception probably of half an hour, the entire day.

Q. And that half-hour was at what time? A. Midday, when I went to lunch.

Q. Will you tell the committee where you took your position as a watcher relative to the rail setting off the ballot boxes and the polls? It was between the rail and the window outside of the rail.

Q. Were you in sight of the election polls? A. Yes.

Q. Could you see the election inspectors from where you stood? A. Yes.

Q. And could see the whole machinery of the election as it was being conducted? A. Yes.

Q. Did you see any person challenged on that day for any purpose? A. Yes.

Q. Can you name any of them? A. Yes.

Q. Please do so, giving the ground of the challenge, what was said and what was done in reference to it; do you desire to refresh your recollection as to the names of the persons who were challenged? A. I do.

Q. Now I renew the question; I asked you a moment ago to give me the names of the persons challenged, and everything that transpired at the time, refreshing your recollection from the papers in evidence?

Objected to that the witness should not testify from a record.

A. The first person whom I challenged when I entered the polling-place was Patrick Tunney.

Q. Now state just what you did and what was done in connection with the challenge made? A. Patrick Tunney entered the polling-place, and in reply to the question put by some one declared that he had his eyesight, and thanked God for it, and immediately afterwards he said he was blind and was assisted in preparing his vote; I challenged him; then there were the three Italians who came in and voted; I recollect the challenge in connection with them; there was one man brought in blind drunk;

they delivered to him the blind oath, and I attempted to challenge him, but my challenge was not marked; that is about all I recollect.

Q. Did you challenge a person by the name of Thomas Sullivan? A. Yes.

Q. Will you state what transpired in connection with that case? A. He was carried into the polling-place helplessly drunk; that was the one I spoke of just now.

Q. Was that the only blind that you noticed about him? A. That was all.

Q. Did he handle the ballot himself? A. No.

Q. Who handled it for him? A. The person who entered the booth with him.

Q. I want you to state in detail just what transpired; who cast the ballot and what was done in connection with it? A. I don't know the man who cast the ballot, but I recollect seeing Mr. Sullivan carried in or supported by the man who followed him into the booth, and they seemed to consult.

Q. They came together? A. They came together, and the man who entered the polling place with him upheld his hand while the oath was administered; Sullivan was talking incoherently all the time, and was carried away to the booth; the pasters were carried at the same time by the other man, and afterwards he was brought out and the ballot was cast by the man who carried him into the booth.

Q. Was he helped out as he was helped in? A. In the same manner.

Q. How many persons did you notice that day who claimed assistance on the ground of being blind? A. There were a great many; I did not keep the number.

Q. Give us approximately? A. There are recorded eighteen; I probably saw about a dozen.

Q. Will you cite any other instances other than those of Patrick Tunney and Thomas Sullivan that you noticed particularly? A. Nothing particular; they all seemed to find their way to the booth; they were followed by a person who usually had a paster in his hand.

Q. You saw the paster with the individual who went in with the supposed blind man? A. In very many cases.

Q. Could you give the names of any persons who went in to assist the blind men to vote? A. None that I recollect positively now.

Q. Can you say whether or not they had any insignia of office or party on them? A. Some of them had the badge of the Democratic general committee on them.

Q. Can you state what proportion of them? A. No, I can't exactly.

Q. In the instances to which you referred did the persons who went in to assist them ask to go in, or did they bring them in from the street and go right in the booths? A. They came in from the street and entered the booths.

Q. And when the vote was cast by whom was it cast? A. It was cast except in the instances that I have mentioned by the blind men.

Q. Will you tell the committee just what the blind men did with the votes they had when they came out, as to giving the ballots to the inspectors; take them from the time they came out of the booths and tell the committee how far they had to walk and whether they were assisted or otherwise? A. They probably took three steps from the booths to the counter on which the ballot boxes were placed; they handed over the ballot; usually the inspector would have to ask them which ballot they cast and they would say that one, and the others were deposited in the proper boxes.

Q. In the instances to which you refer other than Tunney and Sullivan was there any, to you, apparent condition of blindness? A. There was none that I saw; they didn't have to feel their way.

Q. And after they had voted did they leave the polling place unassisted? A. I did not look into the street to see them.

Q. So far as you saw them they left the polling place unassisted? A. They left the polling place immediately and in a sensible manner, as if they could see their way out.

The answer is objected to and stricken out upon motion.

A. Yes, they did.

Q. Did you see any members of the police there in uniform? A. Yes.

Q. How many? A. One, in uniform.

Q. Did you see him engaged in assisting voters at that poll for any purpose? A. I did not see him assisting voters.

Q. Did you see the policeman hand pasters to anybody? A. I saw him take a paster, take it in his hand; I didn't see where it disappeared to.

Q. Describe that act; did he ask someone for a paster? A. A paster was handed to him and he carried it to the booth; after that I didn't see anything of it; the policeman took the pasters to the booths.

Q. Did you see him return from the booth? A. I saw him walk around from the booth.

Q. And when you saw him come back did he have the paster with him? A. No, he did not.

Q. While you were there as a watcher was anything said to you by any person in authority, or who seemed to be in authority, in regard to your duties as watcher? A. I was told that I wasn't wanted there.

Q. In that language? A. In very strong language; two or three times I was told to get out; when I informed the policeman that he had no right to enter the booths or to look into them, he told me that I could not tell him his duty, and on one occasion he put me from the polling place; on another occasion the special officer ejected me; on two or three occasions I was hustled out by the crowd.

Q. What do you mean by hustled out? A. I was personally put out by the crowd.

Q. Do you know of anybody in particular that you can now name who forced you out of the polling place? A. No, sir; except the special officer.

Q. What was his name? A. I don't know his name.

Q. Do you mean by that an officer who had on the shield? A. He had on citizen's clothing and a shield with this word, "Special," on it.

Q. Did you take a look at it? A. Yes.

Q. Was there a number on it? A. There was a number, but I don't remember what it was.

Q. Do you remember the number of the policeman who was there in charge? A. Yes.

Q. What was the number? A. 278.

Q. Where were you forced? A. Outside, into the street.

Q. Were you at any time inside the railing? A. No.

Q. Did you attempt to go in all day? A. No.

Q. How many booths were there in that place? A. Four booths.

Q. Did you see any persons there who were electioneering on that day? A. Yes.

Q. Who were they, do you know? A. There is one here now.

Q. Name him? A. Mr. Thomas F. Byrne.

Q. Anyone else? A. There were several people there whose names I don't know.

Q. Was the attention of the police drawn to the fact by any person within hearing of the inspectors? A. Not to my knowledge.

Q. Did you see the policeman enter the booths for any purpose while the vote was going on? A. Partially, yes.

Q. Won't you describe to the committee what you mean by partially? A. He thrust his body partially in, at times holding the candle and at times doing nothing apparently except looking on.

Q. Do you mean to be understood as saying that the policeman went into the booths without holding a candle? A. He did at times, once or twice.

Cross-examined by Mr. Magner:

Q. How old are you? A. Twenty-five years old.

Q. What is your business? A. I am a law student and law clerk.

Q. Whereabouts? A. I am at present engaged by the committee of twenty-five.

Q. Are you in their service for the purpose of prosecuting the alleged election frauds? A. Yes, sir.

Q. And since last election you have been engaged in that? A. Yes.

Q. And you have been assisting Mr. Elliott in this matter, have you not? A. No, I have not.

Q. You were assisting Mr. Younge and Colonel Lamb? A. Yes, sir.

Q. You appeared as an assistant before the police commissioner, didn't you? A. Which cases?

Q. The election fraud cases? A. I aided in the preparation.

Q. You made a complaint against this officer, McManus, did you not? A. Yes.

Q. Before the police commissioner? A. Yes.

Q. You appeared there and gave your testimony? A. Yes.

Q. You summoned your witnesses there, did you not? A. I did not.

Q. You subpœnaed them? A. Yes.

Q. And they gave their testimony. A. Yes.

Q. You appeared there as watcher on election day? A. Yes.

Q. Did you have an election certificate when you first went there? A. Yes, I did.

Q. Did you show that to the election officers? A. Yes.

Q. Wasn't there a question raised that you were not a watcher and did not exhibit your certificate? A. I beg pardon, when?

Q. On the morning of election day when you first went to this precinct? A. No; I exhibited my certificate.

Q. Wasn't there a claim made there during the day that you were not a watcher? A. There was.

Q. And it was while this claim was made, was it not, that you were ordered out of the place by the chairman of the board of inspectors? A. By the policeman.

Q. By the chairman of the board of inspectors? A. No.

Q. Weren't you ordered out by one of the inspectors? A. No.

Q. Didn't you so testify before CommissionerHayden? A. No.

Q. Who raised the question of your eligibility as a watcher there? A. Mr. Byrne.

Q. Only Mr. Byrne? A. Several of his friends.

Q. Name them, please? A. I don't know them.

Q. When this question was raised, the policeman was ordered to put you out, was he not? A. Yes, sir.

Q. And in pursuance of that order he did put you out? A. Yes, sir.

Q. There was no electioneering done within 150 feet of that polling place that day? A. Yes, sir.

Q. Was it done by Democrats and Republicans alike? A. No, not while I saw it.

Q. Didn't you see Republicans there electioneering? A. No, sir.

Q. The Republicans all stood 150 feet from that poll? A. I didn't measure the distance, but they remained at the corner and considerable distance away from the polling place.

Q. How many people did you notice electioneering that day, altogether. A. I really can't tell you.

Q. Approximate it? A. Between five and ten had bags.

Q. They were all Democrats? A. No.

Q. What were they? A. There were two Republicans with bags and badges.

Q. Then you understood my last question when I asked you if there were any Republicans electioneering within 150 feet of the poll? A. Yes; I understood you to say how many were there on that day electioneering in that neighborhood; I didn't understand you to say near the polling-place.

Q. I asked you if any Republicans were electioneering that day within the forbidden bounds? A. Not to my knowledge.

Q. Then you testified there were two with bags? A. Yes; upon the corner.

Q. And altogether you only saw five? A. From five to ten in that immediate neighborhood; in the neighborhood of that district.

Q. Did these five to ten have bags or badges? A. Yes.

Q. Were they all Democrats? A. In the immediate neighborhood of the polling-place.

Q. Do you mean these five or ten? A. Yes.

Q. All were Democrats? A. No; of these five or ten who were within the proper bounds, there were two Republicans.

Q. How many were within 150 feet of the polling place that day that you observed? A. I could not tell exactly; they were passing to and fro the entire day.

Q. Will you positively swear there were Democrats there with Democratic bags that day? A. Either bags or pasters in their hands.

Q. You know the difference between bags and pasters, don't you? A. Yes.

Q. Which was it? A. Both.

Q. You swear that there were five or ten that had Democratic bags there that day?

Objected to. Objection sustained.

Q. Was, in your presence, any discrimination made against Republicans working and electioneering that day, by the officers of election? A. No, there were none except against the watchers.

Q. Against you personally, was it not? A. No; the two watchers.

Q. Was there any effort made to prevent electioneering by election officers, either as Democrats or Republicans?

Objected to. Objection overruled.

A. I don't remember of any; I didn't see any.

Q. Did you hear the election officers object to any person distributing pasters on that day within the 150 feet? A. No.

Q. Did you observe any discrimination made by the election officers as against Republicans and in favor of Democrats there that day, outside of your personal instance. A. Yes.

Q. Tell us the other instance? A. In the case of Mr. Thompson, the other watcher.

Q. Tell us what you observed in this case? A. They wanted him to get out; said that we had no right to two watchers there, and they hustled us both; got up in front of us so that we might not see the voting.

Q. Those are the only instances that you remember? A. Yes.

Q. Did you have any badge on that day? A. Yes.

Q. What badge did you have on? A. I wore on my vest the Brooklyn Democratic Club and the Citizens' Union badge.

Q. Did you believe that you were entitled to be a watcher and wear that badge that day? A. Yes.

Q. Did Mr. Thompson have any badge on him that day. A. Yes.

Q. What was his badge? A. The same.

Q. The Brooklyn Democratic and Citizens' Union; and you went inside the polling precinct with that badge on? A. Yes.

Q. Did you have any tickets that day that you used? A. No; none except when I voted.

Q. Did you have any pasters about you? A. No.

Q. Did you endeavor to influence any votes in there? A. No, I did not.

Q. All these men who were assisted took the statutory oath, did they not? A. Which oath do you mean; the general oath?

Q. There is only one oath in the case of assistance. A. They did not all take the oath of physical disability.

Q. Do you know how many of them did not? A. No, I do not.

Q. Can you name any one man who was assisted in his voting who did not take the oath? A. Mr. Tunney, and I know this Mr. Sullivan did not.

Q. Mr. Sullivan was the man you claim was drunk? A. Yes.

Q. He didn't take any oath at all? A. No.

Q. Don't you know there is a record of men marked as "challenged" who were not challenged? A. No, I do not.

Q. Don't you know that they got men marked as having taken a disability oath who didn't do it? A. No.

Q. That is not the fact, is it? A. It is not the fact.

Q. You had the poll-list of that election district before you, didn't you? A. I did.

Q. You have looked it over, have you? A. I have looked it over.

Q. You have examined the challenges? A. Yes.

Q. Will you swear that every one that is marked challenged there was challenged? A. No, I will not, but I will swear I don't know it.

Q. Will you swear that there is not a man's name marked challenged of a man who was not actually challenged, to your knowledge? A. There is an extra sheet here in this book with the challenge marked on; do you mean that or the challenges through the book?

Q. I have no reference to that -- the men who were actually marked challenged? A. No.

Q. Do you know of your own knowledge that any of these men who swore to disability on account of blindness were not actually blind? A. Except in the case of Patrick Tunney.

Q. Will you swear he was not blind? A. I swear that he was not blind.

Q. And you don't know about any of the others, of your own knowledge? A. No.

Q. How long have you known Patrick Tunney? A. I have never known him.

Q. How often have you met him? A. Only on that election day morning.

Q. How long did you see him on that day? A. It was only a short time.

Q. How close were you to him? A. Not very far away, probably four or six feet.

Q. Did you make any critical examination of his eyes? A. No.

Q. And the reason you know he is not blind is from an expression he used? A. Yes, from the fact that he thanked God he had his eyesight.

Q. This man took the disability oath and swore that he was blind? A. He took the general oath, and then was asked the question: "Are you blind?"

Q. Didn't they administer to him the disability oath in addition to that; was he asked under oath whether he was blind? A. After they had administered the general oath, the challenge oath, and he had responded to that, the question was asked: "Are you blind?" and he replied: "Yes," and then he was assisted.

By Mr. Elliott:

Q. When the policeman put you out did he ask you if you had any authority to be there? A. He had previously asked me to show my certificate.

Q. Did you show it to him? A. Yes.

Q. Did he read it through? A. Yes.

Q. Was it not after that that you were put out by this policeman? A. Yes.

Q. I ask you furthermore whether any objection was made by the inspectors of election to the Democrats being inside the polling-place and electioneering? A. No, there was no objection at all.

By Mr. Harrigan:

Q. Do you say that Mr. Sullivan raised his hand? A. His hand was raised for him.

Q. Can you name the man who raised it? A. No; it is down in the book.

Q. Were any questions asked Sullivan, or any words similar to the oath put there? A. Some words similar to the oath; I called it at the time a "mongrel" oath.

Q. Did you make any protest at the time? A. I did.

Q. How did you do it? A. It was a general protest; I said: "This is shameful; that man should not be allowed to vote."

Q. Did you make any protest as to the sufficiency of the oath? A. No.

By Mr. Magner:

Q. You are subject to hemorrhages? A. Of the nose, yes.

Q. And you had some on that day? A. In the early morning, yes.

Q. And on occasions you are apt to be flighty mentally? A. No, I am not.

Q. Didn't you testify to that before the police commissioner? A. No, I did not.

Q. Do you drink any? A. Occasionally.

Q. You drank on that day? A. In the afternoon.

Q. Hadn't you been drinking in the morning? A. No.

Q. Hadn't you been drinking previous to the trouble with the police officer? A. No, I had not; it was not until the late afternoon that I drank.

Q. You didn't have any trouble after that, did you? A. I did have a little trouble.

By Mr. Elliott:

Q. You were not intoxicated? A. No.

Frank T. Reeve, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You were a Republican inspector in the Sixteenth election district? A. No, sir, poll-clerk.

Q. What time did you arrive at the polls that morning? A. About fifteen minutes before the opening of the polls.

Q. And were there from that time until the closing of the polls? A. Until half-past 11 at night, with the exception of about half an hour that I went down to vote.

By Mr. Kneeland:

Q. There was one of the poll-lists put in evidence this morning; do you plead guilty of that bad spelling; were you the one that made that out? A. I was not; *this* is my poll-list here.

Q. That was the one that was filed in the bureau of elections, the one that you made out? A. Yes.

Q. Do you know the difference between the preliminary oath, with the questions attached to it, and the general oath? A. I do.

Q. One is section 110, and the other is section 111? A. Yes.

Q. I ask you whether the preliminary oath was given in any of the cases of the challenges, and if so, in which cases? A. It is recorded, I think, twice, and as soon as I see the volume I will give you the cases.

Q. Did you record correctly in the column of oaths the case as to whether it was preliminary or general? A. I did.

Q. And you can tell by refreshing your recollection from your own list whether it was preliminary or general? A. I can.

The list of the Sixteenth district of the Ninth ward, as filed in the bureau of elections, is shown to witness.

Q. That is in your handwriting? A. It is.

Q. I ask you, refreshing your recollection by that poll-list, which of the challenges there were followed by the preliminary oath? A. Michael J. Fagan, 719 Douglas street, and John Fay, Jr., 724 Butler street.

Q. How is that marked there? A. "P" in the oath column.

Q. Was that followed afterwards by the general oath? A. It was not.

Q. In all the other cases of challenges was the general oath alone given? A. It was.

Q. Now, do you remember the fact that there were quite a large number of voters voted "assisted?" A. I do.

Q. And you have made the proper entry there of those who voted assisted? A. Yes, sir.

It is stated that this book last produced to the witness is the same as the one put in evidence, with the exception of these two P's just referred to.

Q. What oath was given in the case of those who were assisted for blindness? A. The general oath.

Q. Do you know the general oath? A. I don't, no; but I can show it to you in the book.

By Mr. Magner:

Q. Do you know it from memory? A. I do not know it from memory; I did not administer the oath; the oath that I mean

by the general oath is marked "General Oath" in the election laws there; I had one of those books at the time, and I looked at it and referred to it, and that is the reason I put the general oath on the book.

By Mr. Kneeland:

Q. And the one contained in the election laws as printed by the bureau of elections as the general oath was given in the case of blindness? A. Yes.

Q. What is the difference between the two oaths? A. The preliminary oath is the oath that first compels the witness to answer two or three questions that may be put to him, and then there is a whole string of questions following; the general oath just precedes that, and I don't remember what the wording of it is; I can show it to you in the book.

Q. Does the general oath require the answering of specific questions, or is it answered by yes or no? A. Answered by yes or no.

By Mr. Magner:

Q. On election day did you know the nature of the general oath? A. I could not have repeated it myself.

Q. Could you repeat the substance of it on election day? A. I think I could have on election day; but I have forgotten it now.

Q. Could you repeat the substance of the preliminary oath? A. I could; yes, sir.

Q. Did you on election day know it? A. I did; yes, sir.

Q. Both of them? A. Yes, sir.

By Mr. Kneeland:

Q. And you had the printed oath before you? A. I did.

Q. The same book that is now before you? A. No, not this book; I had one similar to it.

Q. Now point out in that what you mean by the general oath, the number of the section; read the general oath? A. (Reading.) "You do swear (or affirm) that you are twenty-one years of age, that you have been a citizen of the United States for ten days, and an inhabitant of this State for one year next preceding this election, and for the last four months a resident of this

county, and for thirty days a resident of this election district, and that you have not voted at this election.

"You do swear (or affirm) that you have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving or withholding a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that you have not made, or become directly or indirectly interested in any bet or wager depending upon the result of this election.

"You do swear (or affirm) that you have not been convicted of bribery or any infamous crime, or if so convicted, that you have been pardoned and restored to all the rights of a citizen."

Q. That is the general oath that was given to these people who were assisted? A. It is.

Q. It is the same oath that was given to all those who were challenged except the two persons you have named? A. Except the two.

Q. And the other was the preliminary oath given to those two? A. Yes.

Q. But they did not receive the general oath afterwards? A. They did not.

Q. Now will you give us the preliminary oath? A. (Reading.) "You do swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence and qualifications as an elector."

Q. What is the section number? A. It is not numbered.

Q. You weren't there all day, were you? A. I was, with the exception of the half hour I spoke of.

Q. Did you notice any one going into the booths with the voters, or standing over in the open doorway, other than those who were named there as assisting? A. I did.

Q. What part of the day was this going on? A. From morning until night.

Q. Practically all day long? A. Practically all day long.

Q. Who was the person that was with the voters in that way? A. The regular policeman in charge.

Q. Do you know his number? A. I believe it is 278; his name is McManus.

Q. How did he stand in the doorway? A. Sometimes he would hold the door open and put his arm in, holding the candle, and other times I saw him conversing with the man in the booth.

Q. At the time he was preparing the ballot? A. At the time he was preparing the ballot; holding the candle.

Q. Then he held that candle all day long? A. Off and on, yes; he didn't hold it for every voter.

Q. Was there a candle-stick for that candle? A. No candle-stick.

Q. Then he held the candle in his hand all day long? A. Yes.

Q. I ask you whether this oath was given: "You do solemnly swear and declare that by reason of disability (for some one or more of the reasons referred to above, stating definitely what they are) you are unable to prepare your ballot to be voted at this election without assistance, and you have selected..... to assist you in the preparation of your ballot." Was any such oath given? A. That was not read while I was in the booth.

Q. Was any objection made to Policeman McManus assisting these voters in that manner? A. On several occasions.

Q. Who made objections? A. The Republican inspector.

Q. What is his name? A. Wilson, I believe; and also the watchers who were present, Mr. Thompson, and I believe Mr. Chapman.

Q. What was the result of the objection? A. He would remark that they had to have light to see by, but that was about all he could do; he would go right back again as soon as it was necessary, or as soon as he considered it was necessary.

Q. Did you see any pasters given out inside the building? A. I did.

Q. On many occasions? A. Two.

Q. Inside the rail? A. Inside the rail.

Q. Were the people who gave out the pasters inside the rail? A. No.

Q. They stood outside and handed them to the people inside? A. Yes.

Q. Democrat or Republican? A. That I couldn't tell you.

Q. Did they have Democratic badges on or Republican badges? A. I couldn't tell you that; I stood so that my back was almost entirely to them.

Q. You saw the pasters? A. I saw the pasters.

Q. You put down the names of a great many people who were assisted on account of a claim of blindness; did you watch those people to see whether they were blind or not? A. I watched them as they went in.

Q. For the purpose of seeing whether they were blind? A. Yes.

Q. Were any of them blind? A. To the best of my knowledge they were not.

Q. What observations did you make to ascertain that fact? A. I noticed that in most of the cases they went into the polling-place unassisted, followed by somebody who was to go in with them, and also that when the ballots were offered to them they reached out and took them as I would, and also when they came out, they handed them just as any man would do.

Q. They handed them up themselves? A. In most cases, not all.

Q. And after they handed them up did they discover the proper gateway to pass out? A. They did, without any trouble in most cases.

Q. Did any of them have canes or anything to help them along? A. A few of them.

Q. Did the most of them? A. No.

Q. And when they went into the booths, did they generally precede the person who assisted them? A. That I couldn't say; I think in the majority of cases they did, but it is pretty hard to say.

Q. Did you look at their eyes? A. I looked at their eyes, yes.

Q. How far were you from them? A. In most cases about six feet.

Q. Were there any indications in their eyes of blindness, so far as you could tell? A. So far as I could tell, there were not.

Q. Did they have glasses on? A. Most of them did not; I don't remember whether any of them had glasses on or not.

Q. They didn't have any small dog to pull them along, or any other indication of blindness that you saw? A. No.

Q. Did you see any of the watchers ordered out of there? A. I did.

Q. Who was that? A. Mr. Chapman.

Q. About what time of day? A. That is pretty hard to tell; it was in the morning.

Q. Was the reason why he was ordered out stated? A. Yes, it was.

Q. What was the reason given? A. Because they claimed that he was "fresh" there, and challenged votes that should not have been challenged.

Q. Was he ordered out immediately after one of the challenges? A. Yes, saying that this thing had gone too far, and they wouldn't have any more of it.

Q. Then did the question of having two watchers come up? A. That was later in the day.

Q. Was he put out? A. He was on one occasion.

Q. Do you know whether he was ordered out by the chairman of the board? A. No, I am not positive of that; I don't think he was, though.

Cross-examined by Mr. Magner:

Q. How old are you? A. Twenty-two; I was twenty-one at the time.

Q. This was your first vote? A. It was my first vote.

Q. What is your business? A. I am in a wholesale woolen house in New York.

Q. You were a Republican poll clerk? A. I was.

Q. What kind of a place is this polling place? A. It was a very small place, it is usually termed a shanty; the dimensions, I should say, were about twenty wide by about fifteen or twenty deep; it was about square.

Q. How high was the ceiling? A. Quite low, eight or ten feet; I don't think it was more than ten feet.

Q. The booths were in the rear of the store? A. Three of them were on the right hand side as you went in, and one was at the end.

Q. They were joined together? A. Three were, and the fourth was separate.

Q. How far away from the other three was it? A. There was a stove between them.

Q. It was quite dark in some of those booths? A. That I couldn't say; I went in two that were nearest the door and I had no trouble at all in seeing.

Q. You had none? A. No.

Q. Your eyesight is good? A. Yes, but I wear glasses when I read.

Q. Do you know whether any of the election officers ordered a candle? A. I do not; I know they did not order him to go into the booths; I don't know who ordered the candle.

Q. You know simply that people went into the booths and complained they couldn't see there? A. No; about 4 o'clock in the afternoon, yes.

Q. And then after that complaint had been made the policeman used the candle? A. No; after that complaint was made they put lamps in two of them in the middle of the afternoon; the candle was in the same way in the third.

Q. And so there was no necessity for the policeman to use the candle? A. No.

Q. And he didn't use it after that? A. No.

Q. It was before that that he used the candle? A. Yes.

Q. And on some occasions he would hold it in the door? A. Yes.

Q. So they could see? A. Yes.

Q. And you believe it was necessary for him to do that? A. On most occasions I do not think it was necessary.

Q. But on some occasions it was necessary? A. I think in the latter part of the day in some of the booths it was necessary, that is, to have a light; of course they could put it in there.

Q. You were seated, you said, with your back to the people most of the time? A. To the people outside the guard-rail.

Q. You were engaged in keeping the book? A. Yes.

Q. It took considerable of your time? A. It did.

Q. You had to write names and addresses and the hour and the challenges and the oaths. A. Yes.

Q. And that took up considerable of your time? A. It did.

Q. And in addition to that your back was turned? A. Yes.

Q. So that a great many things that went on you couldn't see? A. No, sir.

Q. And by reason of being engaged that way a great many things you couldn't see? A. That is true.

Q. You know that Mr. Chapman was hurried from the place? A. I do; I saw him.

Q. You know there was some question raised about his eligibility as a watcher? A. Yes.

Q. Some people claimed he was not a watcher and had not a certificate? A. Yes.

Q. And it was while this question of his eligibility was raised that he was put out? A. Yes.

Q. And that was the only time? A. That is the only time I know.

Q. And after that he came in and showed his certificate and was permitted to remain? A. No.

Q. Isn't that a fact? A. No.

Q. Wasn't he there after that? A. Yes.

Q. And remained there all day? A. The greater part of the day.

Q. Don't you know that the certificate Mr. Chapman had was originally in another name? A. I do.

Q. And the name was scratched out and Mr. Chapman's name written over it? A. Yes.

Q. And it was by reason of that, and the discussion that arose about it, that he was ordered out? A. Yes.

Q. And notwithstanding that he came back, and remained there all day? A. Not until after that was settled up.

Q. But he came back after that? A. Yes.

Q. And was not disturbed after that? A. I don't know; my back was to him; there were several disturbances there.

Q. Wouldn't you know if Mr. Chapman was disturbed or ejected from the place? A. It might have come to my attention, but it did not.

Q. When these people swore to their disability, who swore them in? A. The chairman of the inspectors.

Q. Did he ask them to raise their right hand? A. Yes.

Q. And did he administer the general oath? A. In those cases.

Q. And then while they were being sworn, did he ask them about their disability? A. No.

Q. What did he ask them? A. He just administered the general oath.

Q. Didn't they say they were blind? A. They said they were blind.

Q. You put that down, didn't you? A. Yes.

Q. How do you know that? A. They said so.

Q. When did they say it? A. When they came in and said they had to have somebody to assist them.

Q. They came in accompanied by their friend. A. Usually.

Q. And said they were disabled? A. Yes.

Q. And the oath was put to them? A. Yes.

Q. When did they claim that they were blind? A. Before eligibility as a watcher.

Q. Do you mean to say that none of these people swore that they were blind? A. Not one of them.

Q. When did you make this note of disability that you have in your book? A. After the oath was given to them.

Q. Did you make any note in your book about the oath being given; about no oath of disability being given? A. I put down the fact, as it says should be done by us.

Q. That is in case of a challenge, isn't it? A. It doesn't say.

Q. Wasn't that a challenge where a general oath is given? A. Not all of them.

Q. Any of them? A. Yes.

Q. Can you tell us some who were challenged? A. James Smith was challenged.

Q. What was he challenged for; on what ground? A. For going in claiming that he lost his eyesight, I suppose.

Q. Was he challenged on the ground of not being an eligible voter? A. The reason of the challenge is not always given.

Q. I ask you to give me a name of a man who was challenged as not being an eligible voter? A. James Trotta.

Q. Was he challenged as not eligible, or did he claim disability? A. No.

Q. That is what I asked you? A. Thomas Lahey.

Q. How have you got him marked? A. Loss of sight; challenged.

Q. What oath was given to him? A. The general oath.

Q. On account of disability? A. I suppose so.

Q. Is that the only oath given to him? A. That is the only oath.

Q. Will you swear that? A. I am positive.

Q. Did you make any protest about his oath being received? A. I did not; no, sir.

Q. To any one? A. I believe Mr. Thompson told the inspectors that was not the proper oath to give.

Q. What did the chairman reply? A. Something to the effect that that was the oath in the book and that was the oath he was going to give.

Q. Do you know whether the Republican inspectors made any protest against the oath that was being given? A No.

Q. So the oath that was being given to these men was given without any protest by the Republican inspectors? A. Yes.

Q. And do you mean to say that they allowed men to go into the booth on the ground of their being physically disabled, and on the ground of not having taken the oath, and did not protest? A. I do.

Q. Did they do that all day long? A. The cases that are marked in this book.

Q. Did you yourself know that they were doing it all day long? A. I did not know that was the wrong oath.

Q. When did you first discover it was the wrong oath? A. After the election; I knew it later in the afternoon, when Mr. Thompson called my attention to it.

Q. Only then? A. Yes.

Q. Previous to your attention being called to it by Mr. Thompson did you know of the irregularity by reason of consulting the election statute? A. No.

Q. You didn't know that? A. No.

Q. So that up to that time you thought the proper oath was being given? A. I did.

Q. And every person there thought so? A. I suppose they did.

Q. When Mr. Thompson made the objection did they change the giving of the oath? A. No, they did not.

Q. Was any protest made on the part of the Republicans? A. No.

Q. What time was it? A. It was well on towards the close of the day.

Q. Mr. Thompson, then, towards the close of the day first made the objection and called the attention of the chairman of the board to it? A. Yes.

Q. And that was the first you observed it? A. He called the attention of the chairman of the board to it.

Q. And that was the first time it was observed and explained? A. It wasn't explained then; he didn't show them the other oath.

Q. What did he say? A. He merely said they were delivering the wrong oath.

Q. And he said he was not? A. He said he was delivering the one that was in the book.

Q. And the Republican inspectors did the same thing? A. They didn't say anything about it.

Q. And no protest was made in regard to it? A. No.

Q. Did you observe any electioneering inside the polling place? A. Yes.

Q. By anybody besides this policeman? A. You mean distributing the pasters.

Q. Yes. A. No, I did not; he did not have them in his possession; somebody handed them to him; I don't know who it was.

Q. This was on one occasion somebody handed them to him? A. Two occasions.

Q. That is, somebody asked for the pasters? A. Yes; they went into the booths, and while they were in there they tore the paster in some way, and they came out and asked for a paster from somebody; this was just a few minutes before the closing of the polls; this was the case on two occasions.

Q. And the policeman gave them a paster? A. Yes.

Q. And they went into the booth with this paster and made up the ticket? A. Yes.

Q. So there was no opportunity for you to know how he voted after he went into the booth? A. No; I did not know how he voted.

Q. You say these people who were assisted came there with a friend? A. I said they came there with a friend.

Q. Did they have them by the arm? A. Not necessarily.

Q. I am not speaking of what was necessary; I am speaking of the fact? A. In one or two cases that might be so, but in a great many cases they came in unassisted.

Q. And went out the same way? A. Yes.

Redirect examination by Mr. Elliott :

Q. Your duty there was that of poll clerk? A. It was.

Q. And whether a challenge was made or not, you merely made a record of the act of the inspectors? A. That was all.

Q. That was your duty, and that was what you did? A. Yes.

By Mr. Magner :

Q. Did you make a memorandum of every person that took the disability oath? A. I did.

Q. And your book contains all those? A. Yes.

Q. And it contains a complete memorandum of the number of persons who were challenged? A. It does.

Mr. Kneeland offers in evidence the following names from the Thirteenth election district of the Eleventh ward, as contained in the poll list in the possession of the board of elections, reading from the page the names of the voters, the cause of the disability and the person who assisted them, as follows :

370 Hudson avenue, Raphael Mansfield, eyesight bad, assisted by Michael O'Brien.

117 Prince street, Dennis McFall, eyesight bad, assisted by Peter Hopkins.

194 Myrtle avenue, Abraham Samuels, eyesight bad, assisted by Michael O'Brien.

195 Myrtle avenue, Andrew Lewis, can't read or write, assisted by W. J. Tobin.

189 Myrtle avenue, Benjamin Clark, eyesight, assisted by James Maddon.

366 Hudson avenue, Paul Bailey, paralyzed, assisted by W. J. Tobin.

200 Johnson street, William H. Phillips, bad eyesight, assisted by James H. Phillips.

330 Hudson avenue, Thomas Redding, bad eyesight, assisted by John Redding.

87 Prince street, Robert McLoughlin, bad eyesight, assisted by Michael O'Brien.

95 Fleet place, Edward Cooper, bad eyesight, assisted by Mr. O'Brien.

28 Fleet street, Alexander Messenger, eyesight bad, assisted by J. Green.

192 Myrtle avenue, George Merivan, eyesight bad, assisted by W. Tobin.

334 Hudson avenue, George Junior, eyesight bad, assisted by Lorenzo O'Connell.

336 Myrtle avenue, Thomas Hall, eyesight bad, Thomas O'Brien.

14 Fleet street, Daniel Judge, eyesight bad, assisted by J. O'Brien.

99 Fleet place, George West, eyesight bad, assisted by J. O'Brien.

99 Fleet place, Robert Graff, eyesight bad, assisted by W. Tobin.

99 Fleet place, Richard Braddock, eyesight bad, assisted by John O'Brien.

Mr. Kneeland now reads in evidence from the poll list of the Third election district of the Ninth ward as filed in the board of elections:

845 Pacific street, Robert Wallace, hands, assisted by C. Sinnot, challenged.

749 Atlantic avenue, Albert Arthur, blind, challenged, assisted by Moran.

870 Atlantic avenue, Peter J. York, challenged, eyes defective, assisted by C. Sinnot.

520 Vanderbilt avenue, challenged, Thomas Ducey, cannot fold ballots without assistance, eyes affected, assisted by William Kane.

518 Vanderbilt avenue, William Kennon, assisted by C. Sinnot.

518 Vanderbilt avenue, Patrick Hart, challenged, assisted by C. Sinnot, defective eyesight.

861 Pacific street, John Curtiss, assisted by Gus J. Winkler.

883 Pacific street, challenged, Richard McBride, defective eyesight, assisted by Moran.

553 Vanderbilt avenue, Andrew Signorelli, challenged, eyesight defective, assisted by William Kane.

520 Vanderbilt avenue, Patrick Connor, challenged, eyesight affected, assisted by William Payne.

804 Atlantic avenue, Michael Gaynor, assisted by Paul Connor.

553 Vanderbilt avenue, Antonio Spraego, challenged, eyes defective, assisted by C. Sinnot.

791 Pacific street, Matthew C. Burke, eyesight defective, challenged, assisted by C. Sinnott.

874 Atlantic avenue, Frank Pearson, challenged, assisted by C. Sinnott, eyesight defective.

896 Pacific street, Henry Hanson, eyesight defective, assisted by Thomas Keegan.

808 Atlantic avenue, Joseph C. Sweeney, assisted by C. Sinnott, eyes defective.

8 Underhill avenue, John Van Pelt, eyesight defective, assisted by James Moran.

901 Pacific street, Patrick Donovan, challenged, eyesight defective, assisted by James Moran.

870 Atlantic avenue, Peter Tusick, challenged, eyesight defective, assisted by William Kane.

88 Atlantic avenue, Swan Petterson, challenged, eyesight defective, assisted by William Kane.

874 Atlantic avenue, Frank Berry, challenged, sworn in.

826 Atlantic avenue, Michael Armstrong, challenged, eyesight defective, assisted by Paul Connor.

555 Vanderbilt avenue, Martin McKernan, assisted by J. Moran.

Total vote cast in that district, 233.

Mr. Kneeland reads from poll list of Fourth district of the Ninth ward, as filed with the board of elections, as follows:

754 Dean street, Patrick Sheady, defective eyesight, Mr. James Wilson went in booth.

548 Vanderbilt avenue, Christopher Russell, defective eyesight, Timothy M. O'Donnell assisted.

542 Vanderbilt avenue, Richard A. Banyan, defective eyesight, assisted by Thomas R. Farrell.

568 Vanderbilt avenue, Lake Walker, defective eyesight, assisted by John Mitchell.

542 Vanderbilt avenue, George Kiesner, physical disability, assisted by W. H. Bonner.

587 Bergen street, David Koehler, defective eyesight, assisted by Thomas Wheeler.

566 Vanderbilt avenue, James McDonald, defective eyesight, assisted by James Smith.

583 Vanderbilt avenue, John Hurley, physical disability, assisted by Thomas R. Farrell.

601 Bergen street, John Shea, defective eyesight, assisted by John Mitchell.

622 Dean street, William Casey, defective eyesight, assisted by E. K. Martin.

581 Vanderbilt avenue, Thomas Murphy, defective eyesight, assisted by J. Wilson.

560 Vanderbilt avenue, defective eyesight, Michael Brady, assisted by John Wheeler.

579 Vanderbilt avenue, James Mulligan, defective eyesight, assisted by John Wheeler.

882 Pacific street, Thomas Nelson, defective eyesight, assisted by William Wilson.

607 Bergen street, William Lynan, physical disability, assisted by James O'Neil.

Adjourned to Saturday, January 13, 1894, at 9.30 A. M.

MATTER OF HEARINGS BEFORE THE ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS.

Matter of the Seventh Assembly district, Stillman F. Kneeland, contestant, against William Hughes, contestee.

January 13, 1894.

Appearances: George F. Elliott, Esq., for contestant; William J. Youngs, Esq., associate counsel; Hon. Thomas F. Magner, for the contestee.

Edward W. Wade, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. 396 Dean street.

Q. Did you reside there on the seventh of November last? A. I did.

Q. And you voted where? A. In the same district.

Q. What district is that? A. I really can't remember; I did not vote in the district I worked in.

Q. Where did you work? A. I worked in the Fifteenth district.

Q. What time did you get there? A. About twenty minutes after the polls opened.

Q. Were you there in any official capacity? A. I was.

Q. What? A. As a watcher.

Q. You got there, you say, at what time? A. About twenty minutes after the polls opened.

Q. Did you see any of them men that were from the Old Man's Home there? A. I did.

Q. What time did they commence to vote? A. I couldn't say; they strung along all day in there voting.

Q. Do you know Mr. Moran? A. By sight, yes.

Q. Was he a Democratic electioneer? A. I don't know who he was electioneering for.

Q. What is his name? A. Thomas.

Q. Where was he during the voting on election day, behind the rail or in front of it? A. Part of the time behind and part of the time in front of it.

Q. Tell the committee what you saw him doing? A. I noticed him behind the rail, and he told me he was Thomas Moran, and he couldn't be put out; I objected, and he said it was no use, he was there and he wouldn't get out.

Q. What did you see him doing; did you see him go in the polls? A. I did.

Q. How many times? A. Twice.

Q. Did he go in with solicitation or without being asked? A. Without being asked, at the close of the polls.

Q. Did you see any person there voting claiming to be blind? A. I did.

Q. How many? A. Two.

Q. Did you notice whether they gave any physical evidence of blindness? A. Not unless it was old age; one man was actually blind, from the Old Man's Home, and an old man was leading him, and the old man who led him there also claimed blindness.

Q. Who led the old man that led the old man? A. No one.

Q. Were they both assisted? A. Both assisted.

Q. Who assisted the assister? A. I can't say.

Q. Don't you know the name of the man that went in with them? A. I do not.

Mr. Magner objects that the best evidence is the record. Mr. Kneeland states that the records are already in evidence.

Q. Did you notice the manner in which the election was conducted? A. I did.

Q. Will you state how it was conducted? A. It was disgracefully conducted.

The answer is objected to and stricken out upon motion.

Q. State what was done? A. The Republican poll clerks as well as the Democratic poll clerks were very neglectful of their duties.

Objected to.

A. (Continued.) They challenged no voters, the inspectors on both sides; all the challenging was started by us outside.

Q. Do you wish to convey to the committee by what you state that both Republican and Democratic inspectors did not perform their duties?

Objected to as a characterization.

Q. Go on and state just what you saw, what was said and done by both inspectors? A. At the closing of the polls, or towards the closing of the polls, there was a man came in, I can't state what his name is, and the doors at the start were shut, and the first thing we knew Mr. Moran was behind the rail and was in the booth with him, and we objected.

By Mr. Magner:

Q. Whom do you mean by "we?" A. I myself and one of the Republican inspectors.

Q. Give his name? A. I haven't his name here; I have forgotten his name; he was one of the poll-clerks; he said we challenge that man's vote because Mr. Moran is going in behind with him, and we all holloaed "down" and nothing was done about it.

By Mr. Elliott:

Q. Did you see any fights or quarrels? A. I did.

Q. State what you did see? A. It was about 8.45 in the morning.

Objected to unless the quarrels were of such a character as would interfere with the safe conduct of the vote.

A. (Continued.) A Democratic watcher with me, Mr. Harris, who was challenging a man, and Mr. Thomas McDonald, who was in the booth, said the watcher had no right there inside the voting place, not behind the rail, and took him by force, and while he was on the floor hit him in the hip and cut his lip and threw him out, and said he would do it again if he came near the place.

Q. Was this done in the presence of the police officer? A. It was in his presence, but he evidently had his back turned, because he said he didn't see it.

Q. How near was he to the fracas? A. About two feet.

Q. Was it all said loud enough to be heard two feet away? A. It was.

Q. Was this man a Republican watcher? A. He was an Independent watcher.

Q. Was he watching in the Republican interest. A. In the Republican interest.

Cross-examination by Mr. Magner:

Q. Where do you reside? A. 396 Dean street.

Q. How old are you? A. I am 25.

Q. Did you ever perform official duty as a watcher at elections before this year? A. No, sir.

Q. You were a regularly appointed watcher? A. Yes, sir; I have my certificate in my coat pocket.

Q. Will you let me have it?

Witness produces certificate.

Q. How long were you at the polls that day? A. From about twenty minutes after the polls opened until they closed, and I stayed while the canvassing was going on.

Q. How long were you away for lunch? A. I didn't go away for lunch; I went away with Harris to see Mr. Shepard about getting out a warrant.

Q. How long were you away that time? A. About an hour and a half.

Q. Except that interval you were there all day, as you say? A. Yes, sir.

Q. You say that neither the Republican nor the Democratic inspectors challenged properly? A. No, sir.

Q. And in your opinion didn't do their full duty? A. Didn't do their full duty.

Q. You complained in regard to the conduct of both of them? A. I made no complaint at all myself.

Q. It was only after the election was over that you made any complaint? A. I spoke to the Republican poll clerks there and wanted them to do their duty, and if I wanted any challenge made I spoke to them.

Q. Did they carry out your desires? A. Only in that instance I speak about; this man where Moran was behind the bar.

Q. Did you make any complaint that they didn't perform their duties that day? A. I did not.

Q. To anybody? A. I did among ourselves.

Q. What workers did you speak to? A. A man named Beers.

Q. Were these workers with their badge and ballots outside the polls? A. They stood outside the corner all day long.

Q. Then you went to the corner to speak to him? A. Yes, sir.

Q. Was this Beers that you spoke to on the corner? A. He wasn't a worker; he was a watcher.

Q. So now you discover he wasn't a worker and he was outside of the polls? A. As a watcher.

Q. Whom else did you speak to? A. A man named Brown.

Q. Where did you speak to him? A. Outside.

Q. What was he doing? A. He was around the corner.

Q. Did you complain to any election inspectors themselves about their conduct that day? A. I did not.

Q. Made no charge against them? A. I did not.

Q. Isn't it a fact that this was an afterthought making any complaint at all except this man's assault? A. It was fully my intention to tell the newspapers and I did.

Q. Don't you think it was very strange you didn't inform the officers of their dereliction of duty? A. I didn't understand my duties fully then.

Q. You knew you were a watcher? A. Yes.

Q. To look after the Republican officers? A. Yes.

Q. You accepted that duty? Yes, sir.

Q. And you went there for that purpose? A. Yes, sir.

Q. And you believed that that day you saw flagrant omissions of duty on the part of the Republican and Democratic inspectors? A. Yes.

Q. And you were appointed to see after these things; isn't that the fact? A. Yes, I made an official complaint.

Q. You don't mean to assert that there was a conspiracy between the Democratic and Republican election officers against the freedom of the ballot, do you? A. No, I do not.

Q. You don't mean to assert that the Republican inspectors of election did not do their full duty as they understood it? A. They were incompetent. [They were overawed by the Democrats.]

The part of the answer in brackets is objected to and motion made to strike it out as not responsive. Motion denied.

Q. Do you mean to say that the Republican general committee selected incompetent men for election officers there that day? A. I don't know whether they selected them or not, but I considered they were incompetent.

Q. Did you examine critically the election law? A. I did not; I had no copy and couldn't get a copy.

Q. As a matter of fact you don't know the election law on that? A. No, I do not.

Q. You made an assertion there that the inspectors challenged no votes. Did you request the inspectors to challenge anybody? A. I did.

Q. And they refused to do it? A. Well, no, they didn't refuse to do it.

Q. They didn't do it and you requested them to? A. Yes, sir.

Q. Did they make any answer to all? A. Yes.

Q. What answer did they make? A. I understood them to challenge.

Q. I asked you and you said they didn't challenge? A. The challenge was eventually got accepted. You take in the instance of this man Moore, who voted on an Irishman's name and was a negro, towards the close of the poll; they challenged him, I don't know whether it is down there or not; they made a motion to challenge him and he voted.

Q. And they did challenge him? A. I said "challenge that man;" I suppose it was done.

Q. What do you mean by they accepted the challenge? A. I don't know whether the man was sworn; I mean the poll clerks.

Q. Accepting the challenge, do you mean accept your suggestion to challenge the man? A. Accept his suggestion.

Q. Whose suggestion? A. The Republican inspector.

Q. As a matter of fact did they or did they not challenge him? A. I can't say; I didn't take charge of that; I left it with them to do it.

Q. You delegated that to somebody else? A. I challenged no man myself.

Q. So you considered your full duty as a watcher there done when you handed it over to somebody else to present to the proper officers? A. I considered my full duty done when I selected a man to be challenged and told them to challenge them.

Q. You said, too, that a man came in there with Mr. Moran, and you wanted that man challenged, and they refused to challenge him; is that right? A. Yes.

Q. This man came in and took the disability oath? A. No, he did not.

Q. And you wanted him challenged because he was disabled? A. There was no question asked at all.

Q. Did you claim that he should be challenged because he claimed physical disability? A. He didn't claim anything.

Q. On what ground did you claim challenge? A. Because Mr. Moran went right in with him.

Q. That is your idea of challenge, is it? A. Yes, sir.

Q. Now, you with that idea of what the meaning of challenge is, and admitting that you never read the election law, are willing, under oath, to characterize the action of two Republican and two Democratic inspectors of election as outrageous, and a flagrant violation of their oaths of office? A. I haven't read the election laws, but I have been told what they are.

Q. And you are willing to come here and swear to that? A. Yes.

Q. And you are willing now to swear? A. Yes.

Q. Is that your idea of the sanctity of an oath? A. Yes.

Q. You have stated to the committee the manner in which these people committed what you state to be political outrages? A. Yes.

By Mr. Kneeland:

Q. Were you present in the afternoon of that day when I insisted that the Republican watchers should have the privilege of going inside the rail? A. I was not; that is, I don't know the incident that you speak of.

Q. Do you know whether that polling place was next door to the Democratic headquarters? A. It was a vacant lot between that and the Democratic headquarters.

Q. Do you know where the people who did the electioneering stood? A. They stood all the way around from the Democratic headquarters up to the rail until we put them out.

Q. Did they stand in front of the entrance into the rail and from there clear out to the center of the street?

Objected to.

Q. How many people wearing the Democratic committee badge would you judge there were immediately in front of the opening into the rail and from there out to the opening of the sidewalk?

Objected to as not redirect examination. Question allowed.

A. About ten as a low estimate.

Q. Were they electioneering? A. Yes, sir.

Q. And the person who wanted to vote had to go right through that body of people wearing the Democratic badge? A. Yes.

Q. And that was so all day long? A. All day long.

Q. Did you notice the fact that the ballots were voted wrong end up, that is, that they commenced at the last end instead of the first? A. I did not notice that.

Q. Did you notice whether myself and the other people there excepting the watchers and poll officers were turned out of the polls at the close of the voting for the day and the doors locked? A. I did not.

Charles W. Grose, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. 872 Bergen street.

Q. Did you live there on election day, the 7th of November, 1893? A. Yes, sir.

Q. How long previous? A. Three months.

Q. Will you tell the committee who lived there? A. Barnard Rensing, a man by the name of Doyle, Dolan, Lewrey, O'Brien, and an Italian shoemaker; I don't know his name.

Q. Now I ask you this specific question: Did Rosaria Miele, Joseph Ramarta, Jimmie Trotta, Vigleanti Cammerari and Peter Berallo live in that house on the seventh of November? A. No.

Cross-examination by Mr. Magner:

Q. What apartments do you occupy in that house? A. Top floor.

Q. Which side? A. In the right hand side going up.

Q. What family have you? A. Wife and one child.

Q. Who lives with you besides your wife and child. A. Nobody.

Q. What kind of apartments are they? A. Eight rooms on a floor, four rooms to each family.

Q. Are you intimately acquainted with all the tenants there? A. My brother-in-law lives in the same house.

Q. What is his name? A. Bernard Rensing.

Q. What floor does he occupy? A. Second floor.

Q. Four rooms? A. Yes.

Q. The same as you? A. Yes, sir.

Q. Except that you are on one floor and he on another? A. Yes, sir.

Q. Are you on terms of intimate relationship with him? A. Yes, sir.

Q. And he with you? A. Yes, sir.

Q. You are on visiting terms? A. Yes, sir.

Q. How often do you visit? A. Every night.

Q. Does he visit you the same night? A. Sometimes two or three times a week.

Q. Who else in that house do you know intimately? A. Lewrey keeps a fish store; that is all I know.

Q. You don't know the others at all? A. No, sir, not to speak to.

Q. You don't know the Italian? A. No, sir, I never spoke to him at all.

Q. How long are you living in that house? A. Five months the first of this month.

Q. And the others you never spoke to? A. No, sir.

Q. Don't know anything about them? A. No, sir.

Q. Don't know who lives with them? A. No, sir.

Q. They could have a number of visitors there? A. I don't know if they have any visitors; I haven't seen any coming there.

Q. You are out all day? A. Yes, sir.

Q. What time do you get home at night? A. About quarter or twenty minutes past 11.

Q. Everybody is in bed? A. Not everybody; very few of them go to bed in the whole row.

Q. What do you work at? A. Motorman on the Franklin avenue road.

Q. What is your name? A. Charles William Grose.

Q. And you get in at half-past 11? A. Yes, sir.

Q. During the day you are out attending to your business? A. Yes, sir.

Q. And in the early morning you sleep? A. Yes, sir; sleep until 10 o'clock.

Q. So you are in the house? A. And go out at seven minutes to 12 and make two trips and bring in till 5.48, and am home in the afternoon, too.

Q. So in the evening you are out? A. Yes, sir.

Q. You say you never spoke to any of these men? A. No, sir.

Q. And never visited them? A. No, sir.

Q. As a matter of fact they could have visitors come there without your seeing them? A. That may be, yes.

Q. And they could have people sleeping there in their apartments without your knowing anything about it? A. I don't think they could.

Q. Why not? A. Because I think things that go on they would know a great deal about.

Q. You don't get in until 11 o'clock? A. About half-past 11.

Q. And a man that does an ordinary day's work goes out while you are asleep? A. Yes, sir.

Q. And when he comes home to his dinner at night you are away? A. Yes; I go at 5 o'clock at night.

Q. And you are away until half-past 11? A. Yes, sir.

Q. Don't you think it is quite probable that men could be there and you never see them? A. I don't think they could.

Q. Haven't you said you don't remember ever seeing the men about the house? A. Yes, sir.

Q. Then you do mean to assert positively that if they had boarders and visitors you would see them; that they couldn't have them without your seeing them? A. I don't suppose they could.

Q. And yet you say there are tenants in the house that you never saw? A. No, sir; I said that I never spoke to them.

Q. When did you see them? A. Seen them on the street; seen them going through the house.

Q. What time of day? A. Between 3 and 5 o'clock, when I am home.

Q. Don't they do any work? A. The man that lives on the floor we do works in a brewery, and he gets home at 1 o'clock in the afternoon.

Q. And the other men? A. Doyle, he gets home about 4 or 5 o'clock.

Q. What does he work at? A. A tinsmith or roofer.

Q. Every day? A. Not every day.

Q. You say you see him at 4 o'clock? A. Yes, sir.

Q. Who is that man in the house that you never see? A. There isn't nobody there that I never saw.

Q. That you never spoke to? Doyle and Dolan; I never spoke to either of them.

Q. You don't know whether these people keep boarders or not? A. I do; they positively don't.

Q. Did you ever go into their apartments to see? A. Yes, sir.

Q. And you don't even speak to the men? A. No, sir.

Q. And you are positive they don't keep boarders? A. Yes, sir.

Q. Simply because you didn't see them? A. Yes, sir.

Q. Do you keep track of everything that goes on? A. Not exactly; no, sir.

Q. Did you ever see men go there at all? A. No, sir.

Q. And that is the reason you conclude they don't keep boarders? Yes, sir.

Q. And you are positive because you never see them? A. Yes, sir.

John Whalen, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Kneeland:

Q. Where do you live? A. 281 St. Mark's avenue.

Q. That is in the Ninth ward? A. Yes, sir.

Q. What district? A. The Seventh.

Q. Were you at the polls a portion of the time in that district on the seventh of November last? A. Yes, sir.

Q. Are you acquainted with James Flannery? A. Yes, sir.

Q. Any relation of yours? A. Yes, sir.

Q. What relation? A. My father-in-law.

Q. How long have you known him? A. About three and one-half years.

Q. Very intimately? A. Yes, sir.

Q. Did you see him vote on that day? A. No, sir.

Q. Did you see any one vote in his name? A. Yes, sir.

Q. Where does your father-in-law live? A. 236 St. Mark's avenue.

Q. Was the person that voted in the name of James Flannery your father-in-law? A. No, sir.

Q. Do you know the man who voted in his name? A. Yes, sir.

Q. Did you know his name then? A. No, sir.

Q. You have since found out what his name is? A. Yes, sir.

Q. When he voted did you make a complaint? A. I did; yes, sir.

Q. What did you say? A. I challenge that man.

Q. Did you say why?

Objected to.

A. I said that he wasn't the man by the name of Flannery, but he voted.

Q. You say you have ascertained who the man is since? A. Yes, sir.

Q. What is his name? A. Owen McAveney.

Q. Do you know where he lives? A. I don't know as he has got any residence at all; I believe he stays in a place now, being he has got employment from a man in Bergen street; he sleeps there any way.

Cross-examination by Mr. Magner:

Q. What is your politics; are you a Democrat? A. No.

Q. Is your father-in-law? A. Yes, sir; that is, I think so; I couldn't be sure.

Q. You believe he is a Democrat? A. Yes, sir.

By Mr. Kneeland:

Q. You don't know whether he would be a Democrat this year? A. I couldn't say; he wasn't here to express himself this year.

By Mr. Magner:

Q. What do you mean by that? A. He wasn't in the city.

Q. How long before election day did he go away? A. He went away after the first registering day and came back last Wednesday.

Mr. Magner moves that the testimony of this witness be stricken out on the ground that it is immaterial unless connected with the contestee in this case.

The majority of the committee deny the motion.

The minority of the committee sustain Mr. Magner's objection and favor the motion.

Mr. Magner excepts to the ruling of the majority of the committee.

Hugo Caro, called on behalf of contestant, being duly sworn testified as follows:

By Mr. Elliott:

Q. Where do you live? A. 317 Hudson avenue.

Q. What ward and district? A. Thirteenth district and Eleventh ward.

Q. Were you engaged as an election officer on last election day? A. Yes, sir, I was an inspector.

Q. What time did you get to the polls? A. I got there about ten minutes or fifteen minutes before the polls opened.

Q. And you remained there until when? A. Until 12 o'clock and went for lunch about ten minutes, and got back ten or fifteen minutes afterwards and was there all day until the polls closed with the exception of that time.

Q. And when the board of inspectors was organized were you made chairman? A. No, sir; Mr. Abbott was made chairman.

Q. During the day were any men brought into the booths to be assisted by other persons? A. Yes, sir, a great many of them.

Q. State about how many? A. Well, I should say I have seen at least twenty-five.

Q. Will you relate any special instances in which you took particular notice? A. Well, I have seen a great many men, at least I have seen a great many colored and white men, about twenty or twenty-five, being brought in by the Democratic watchers and being informed to plead the disability act.

Mr. Magner objects and moves to strike out the answer. Motion granted.

Q. Tell me what they said? A. I could not exactly say what they said because I had to attend to my book, but I see them Democratic watchers bringing these men in — Henry O'Brien and Tobin and some more.

Q. About how many did Mr. Tobin bring in? A. I couldn't recall; I should say about three or four.

Q. And Mr. O'Brien? A. I think about ten or fifteen.

Q. Mr. O'Brien and Mr. Tobin were both Democrats? A. Yes, sir.

Q. I ask you this specific question: Did you see any Republican watchers or any persons interested in the Republican party bringing in blind men to vote? A. Yes, sir, one case; a man by the name of Philips brought in his blind brother, who had to be led through the street and led into the voting place and into the booth, and that is the only case I have seen any man taking the disability oath.

Q. Was there any other case except that one where the man was blind? A. The most of these people that took the disability act, they could see; I am in business in Hudson avenue there —

Q. They could see? A. They could see, yes.

Q. And will you now state to the committee that you were satisfied that they were not blind? A. Perfectly.

Q. You didn't see them see? A. I couldn't possibly; I haven't seen one of those men that were sworn in that I could say that they couldn't see; they all could see; they were all able to see.

Q. Do you know any of them personally? A. Yes, I see them every day; I couldn't name them, but I see them every day.

Q. Did you see them go in the booth? A. Yes, sir.

Q. And saw them walk? A. Yes, sir.

Cross-examination by Mr. Magner:

Q. Where do you live? A. 370 Hudson avenue.

Q. What is your business? A. Cigar and tobacco store.

Q. You were Republican inspector that day? A. Yes, sir.

Q. Were you ever an election officer before this time? A. I have been canvasser for three elections; two elections previous.

Q. Where were your born? A. In Prussia.

Q. How long have you been a citizen? A. Ten years.

Q. Do you conduct your business where you live? A. Yes, sir.

Q. Were you there all day on election day at the polls? A. As inspector I was there all day with the exception of ten or fifteen minutes to get my lunch at 12 o'clock.

Q. Who was there in your absence? A. The Republican poll clerk and the Democratic inspector went off together and the others remained and carried on the books until they returned; we took turns about; there was one Democrat and one Republican remained at the books while the others went to dinner.

Q. When these men came up who were assisted they came up with a friend to ask to have the oath administered; is that it; they came in with some friend? A. I don't know about their friend.

Q. Well, with some person? A. Some person, yes.

Q. And that man was beside them and went into the booth with them? A. Yes, sir.

Q. After they took the oath? A. Yes, sir.

Q. They all took the oath? A. Certainly, they all took the oath.

Q. And then this friend went into the booth with them? A. Yes, sir.

Q. And the friend came out with him and they went out together; that is the fact? A. No, the man you called the friend remained in the polling-room.

Q. All the time? A. Mostly, yes, sir.

Q. Didn't you see them going out together? A. No, sir; as a general rule the parties remained in the polling place.

Q. Can you tell me any instance where the party who assisted remained in the polling place and the voter went out? A. I don't know the names; I simply make the statement—

Q. You have mentioned several names? A. Certainly; O'Brien and Tobin, they remained.

Q. With whom did they go in the booth and then remain after the voter had cast his ballot? A. I couldn't tell you the name.

Q. Did you examine these men critically as to their eyesight? A. I did not.

Q. The only one that you claim was blind was the Republican? A. That is all.

Q. The Democrats, if they were Democrats? A. I couldn't tell you if they were Democrats.

Q. They didn't declare how they were going to vote? A. Certainly not.

Q. And you don't know as a matter of fact how they voted? A. Certainly.

Q. So far as you know they may have voted for Mr. Kneeland? A. They may have voted for him so far as I know.

Q. Where were you standing when these men came in? A. I was sitting; I was inspector, checking off the names on the books.

Q. You had to check the names as they gave them and write them in the book? A. No, no; I had to check them off in the registry-list.

Q. What else did you have to do; just put a check on their names? A. That is all.

Q. Didn't you have to do some writing of some kind? A. No, only checking.

Q. Did you get from behind the rail or place where you were sitting? A. No, sir; I sat there all the time.

Q. Wasn't your back to these men? A. No, sir; *here* was the door and *here* was the chairman of inspectors, and I stood just by here.

Q. About six feet between you and the voter? A. Not quite six feet; say about three and one-half or four feet.

Q. And you were sitting down and he was standing up? A. Yes.

Q. You didn't get up to look at them at all? A. I could see without getting up.

Q. You didn't get up. A. No, sir.

Q. You didn't follow them out into the street, any of them? A. No, sir.

Q. Do you know these men who said they were blind? A. I know them, but not by name.

Q. Did you ever speak to them? A. Yes, sir.

Q. Name one of them? A. I can't.

Q. Where do they live? A. I don't know.

Q. Where do you speak to them? A. Right in my store.

Q. Come in to buy cigars? A. Yes.

Q. Have they come in since election? A. Yes, sir.

Q. Can you describe them in any way? A. No, I can not; mostly all the men I know are colored men.

Q. So all the disabled men that you know that took the oath were colored men? A. Oh, no, a great many of them were.

William F. Abbott, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. 54 Fleet street.

Q. And you voted on last election day? A. I did, sir.

Q. And were an officer where? A. In the Thirteenth election district of the Eleventh ward.

Q. What was the office you held? A. Chairman of the board of inspectors.

Q. And the polls opened that morning how early? A. 6.38.

Q. And you remained there till when? A. 4.50, with the exception of half an hour at noon time.

Q. Do you know the names of the persons who voted there on election day, and who claimed assistance on account of blindness? A. I do.

Q. Will you please name to this committee some of them? A. Under the name of Philips, Dan Judge, George Junior, George Murphy, Andrew Lewis, and Mr. Clark — I don't know him personally — and Thomas Reddy or John Reddy.

Cross-examination by Mr. Magner:

Q. What memorandum is that you are reading from? A. A memorandum of my own.

Q. When did you make it? A. I made it a few minutes ago; I have got it in my memory.

By Mr. Elliott:

Q. If you can testify without the memorandum do so, and if you cannot refer to it; have you named them all? A. I have named them all.

Q. Were they blind? A. I couldn't positively say that they were not blind, but if they were blind I am blind.

Q. You are not blind, are you? A. Not to the extent that I can't see how to read and write.

Q. And you were not blind on election day? A. No, sir.

Q. Who brought this man in there to vote? A. There was only one instance that I can name that there was anybody brought.

Q. What instance was that? A. The instance of George Philips.

Q. Were any of these men assisted in the booth to vote? A. All of them were assisted in the booth who claimed to be blind.

Q. By whom? A. By the Democratic watchers.

Q. Can you give the names of them? A. I can give the names of all that assisted.

Q. That is what I am after? A. Michael O'Brien, John O'Brien, William J. Tobins, and one James Madden and Thomas Reddy, assisted his brother, and George Philips assisted his brother.

Q. This George Philips, was he blind? A. It was either George or William A. that was blind; two brothers came in together.

Q. And they were the only ones that came in assisted? A. They were the only ones that came in as blind men?

Q. Will you state to the committee whether any remarks were made in the presence of the inspectors in reference to these other men who went in assisted by the Democrats, whose names you have given? A. Well, the statements made before me when they came to be questioned — do you wish me to make a statement as to how these men proceeded before getting the oath?

Q. Yes? A. They came up and got their ballots, and through getting their ballots they claimed to be blind; the Democratic watcher, Michael O'Brien, then assisted them after the oath had been administered, and in one instance, the case of George Junior, when I thought it had gone about far enough for blind men, as chairman of the board I questioned him so closely that he admitted to me that he was not blind; Mr. O'Brien interrupted me and said it was none of my business; all I had to do was to administer the oath; I further went on to question this man's disability, and we had quite a little flurry about that part of it between Mr. O'Brien and myself; he was there in the capacity of a Democratic watcher.

Q. And what was the name of the Democratic inspector? A. The name of the Democratic inspector was — I forget his first name—but his name was Hayes.

Q. Go right on? A. Mr. O'Brien protested at my interfering with the voters or questioning their qualifications, that is so far as questioning them as to their blindness; then he said that he wouldn't have any bulldozing from me, and I retorted that I would not have it from him, and if he didn't keep quiet I would have him taken out of the polling-place; I went on then to interrogate the voter; well, he said I am not blind, but I don't understand this thing; I then said to him, that doesn't come under the disability act, go to the ballot clerk and get instructions, or go on the inside and get instructions; Mr. O'Brien interrupted me and said: "Oh, go on; swear you can't see, swear you can't see," and the man says: "I can't see;" I asked him then, I said, "Do you understand the gravity of the oath that you desire to take?" and he didn't know what that meant; Mr. O'Brien insisted that he should be sworn in and I asked if he wanted to take the oath and he said yes; finally he took the oath; I asked him who he desired, after having administered the oath, or who he had selected to accompany him into the booth for assistance; he said Mr. O'Brien; there were two O'Briens present and he didn't know which one he wanted, and I made him designate John or Michael, which went conclusively to show that he had been instructed to call on Mr. O'Brien and got confused because I asked him which one he wanted; finally some one standing by named John O'Brien as

the man who accompanied him; then he said Mr. John O'Brien, and Mr. John O'Brien assisted this man in preparing his ballot; there were other cases, but that was the most striking one; there was a case of a young man, I forget his first name, I think it is West, 91 Fleet place; he came in and he was in about the same condition, but he simply took the oath that he couldn't see and he positively could see as well as I could; there is a man in another case that lived next door named Andrew Lewis, 194 Myrtle avenue; he took the oath that he couldn't see, and I have heard him say since that he could see as well as I or anybody else, and that he got two dollars and a quarter; this was after election; this came about when he was being guyed, and he got a little vexed at the guying and said that he didn't get but two dollars and a quarter, and another party was accusing him of getting three dollars.

Q. Did he tell you who gave him the money? A. He didn't admit, but the other party told him where to go and get it.

Q. In your presence? A. In my presence; a third party that hasn't been mentioned at all told him this.

Q. Who is this third party? A. Joseph Simmons.

Q. Where did Joseph Simmons tell this man to go and get his money? A. I don't know, but he told him the name of the party.

Q. Who was it? A. O'Brien; he said in my presence to this Andrew Lewis and told where to go to Mr. O'Brien.

Objected to.

By the Chairman:

Q. Give us the conversation that took place between these persons in reference to the payment of money of which you have given a portion? A. The conversation that took place between Andrew Lewis and Simmons about the money?

By Mr. Magner:

Q. Who is Simmons? A. He is a voter that voted in my district; it simply terminated with Mr. Simmons charging Andrew Lewis with receiving three dollars, and he claimed he only received two dollars and something, and then he said that he could tell me where there was half a dozen others in a saloon not far from there where they had received five dollars apiece.

By the Chairman:

Q. Who said that to you? A. Mr. Simmons.

Q. What else did this voter Andrew Lewis say? A. Made a remark that is not hardly proper for me to express here.

By Mr. Elliott:

Q. Now the question I asked you is: Did Simmons make this remark in reference to the other voters receiving five dollars in the same conservation in which this conversation about receiving two dollars and a quarter occurred? A. Yes, sir.

Mr. Magner moves to strike out the testimony of this witness relative to the conversation with the voter and Mr. Simmons unless it took place in the presence of the man who assisted him; the motion is granted so far as it relates to the declaration of Mr. Simmons, and not as to the rest.

Q. Did you have any conversation with Mr. Michael O'Brien relative to the election? A. I did.

Q. What was it? A. On the evening of the sixth of November—

Objected to as immaterial to this issue. Objection sustained.

Q. I ask you now as a matter of fact whether or not Michael O'Brien did not on the evening of the sixth of November ask you or say to you that if you would conduct the election in his interest that it would be worth five dollars to you, or he would give you the sum of five dollars?

Objected to as leading and immaterial. Objection overruled for the present, the chairman stating that the evidence will be received on the statement of counsel that it is to be connected with the individuals who were bribed.

A. On the sixth of November, the evening before election, Mr. O'Brien met me in the polling place; we were there to see that the polls were up and properly arranged; it was my business to see that the polls were in proper condition; after we had set them up and got them in the proper shape Mr. O'Brien asked me to go out and have a drink; I went with him to the corner and took a glass of ale, and on the way back Mr. O'Brien said to me, "Billy, if you should be chairman of the board of inspectors to-morrow, and if I should get a little bit excited, if you wouldn't enforce the law it would be a consideration of five

dollars to you;" I said to him, Mr. O'Brien, that whether I was chairman of the board of inspectors or not, I was one of the inspectors, and that I wouldn't see him violate the law, and if I did, I should have to make him enforce the law; "Well," he said, "I might get a little excited;" I said, "If I am chairman of the board of inspectors and you go one inch beyond the limits of the law, I will enforce it." "Well," he said, "I don't intend to go outside the limits of the law," and he said, "I guess we will get along all right;" there was nothing more said about the five dollars; I said, "We have got along all right heretofore; we have been working together four or five years," and we parted at that.

Q. Did you have a subsequent conversation with Mr. O'Brien? A. Not after that.

Q. Did you have a conversation the day before election? A. No.

Q. Did you have any other conversation than that you have testified to with Mr. O'Brien relative to the election? A. No, not up to the day of election; on the day of election I have stated what transpired.

Q. Have you told all of the conversation that you had with Mr. O'Brien relative to the election? A. I have, I think, said all that occurred between me and Mr. O'Brien that is of any interest to the committee.

Cross-examination by Mr. Magner:

Q. How old are you? A. I am 45; I was born in 1848; I might be older.

Q. Where do you live? A. I live at 54 Fleet place.

Q. What is your business? A. Photographic printer.

Q. Were you ever an election officer before this time? A. Yes, sir.

Q. You knew Mr. O'Brien well? A. Known him three or four years.

Q. And have worked as an election officer with him? A. I have.

Q. Did he ever attempt to bribe you before? A. No, sir.

Q. He told you when he had this conversation that he didn't intend to violate the law, didn't expect to, and wouldn't violate

the law? A. He said he didn't expect to exceed the limits of the law.

Q. But that he was apt to become excited and asked that you wouldn't enforce the law if he got excited? A. That is what he said.

Q. Knowing that you had the privilege of calling the police and putting him out of the polling-place; is that it? A. Yes.

Q. And you intended, of course, to see that no man should get in there and be noisy and have any row? A. I intended to see that no man got in there and did anything except in strict conformity of the law.

Q. You didn't take any money from him? A. I did not.

Q. He didn't offer it to you in his hand? A. He did not.

Q. He suggested that if you didn't enforce the law if he got excited it would be worth five dollars? A. It would be a consideration of that amount to me.

Q. He had never done that before? A. Never.

Q. And the following day you had no trouble? A. I did consider that I had some trouble with him.

Q. But you enforced the law as you understood it every time? A. Yes.

Q. But he didn't violate the law when you could prevent it? A. I claim he was trying to violate the law.

Q. Did you see these blind men come up there? A. I didn't see but one blind man come up there; I saw a number who took the disability oath under the cause of being blind.

Q. The blind man was a Republican? A. This one that was led there as a blind man I presume was a Republican; I don't know his politics.

Q. Did you investigate critically these other men that were led up there as to their blindness? A. No; I did not; I casually looked.

Q. Do you know the names of any of them? A. George Mervin lives at 192 Myrtle avenue, or did at that time; since election day he hasn't been seen; I know Andrew Lewis lives at 194 Myrtle avenue; he can be found there now.

Q. He is one of the men that took the disability oath? A. He is one of the men that took the disability oath.

Q. Do you know them intimately? A. I know them to speak to them and have conversation with them; they are no particular friends or associates of mine; I know also George Junior; he is not blind and he told me he wasn't blind.

Q. What other ones of them do you know? A. I know Philips, who I believe is a blind man.

Q. Is George Junior a colored man? A. He is a colored man.

Q. Are there any more that you know personally? A. Yes; I know Mr. Reddy, one of the men led in and claimed to be blind; his brother assisted him.

Q. Any more do you know? A. I can name a number of them.

Q. Let us have them? A. I will refer to my memorandum for names.

Q. I mean that you know personally? A. No, there is no others that I know personally myself.

Q. How long have you known these men? A. I couldn't state how long I have known them; I have known them probably five or six years.

Q. What business are they in? A. They are in different kinds of business at different times.

Q. Do you speak to them frequently? A. Speak to them whenever I pass them.

Q. How frequently? A. I might pass them once a day, or I might not see them on the street in a week; I don't visit their houses.

Q. The other people you don't know anything about personally? A. No.

Q. You don't know those people except what you saw them do when they came in to vote? A. I have known them long enough to know the fact that they are not blind.

The answer is objected to, and motion made to strike it out. Motion denied.

Q. Did you see these men come in there on election day who claimed to be blind? A. I did.

Q. Do you know whether they were accompanied by anyone or not? A. They were unaccompanied by anyone when they came in the door.

Q. Every one of them? A. No, sir; I make an exception.

Q. Tell me the exception? A. The exception is in Philips' case.

Q. And with the exception of Philips they all came in unaccompanied? A. All with the exception of Philips as I remember it.

Q. Where did they first meet the man who assisted them to go in the booth? A. I don't know; I know they met the ones that did assist them right in front of the ballot boxes.

Q. There for the first time they saw the man that assisted them? A. I can't say that; they might have seen them on the outside.

Q. They met them previous to voting right in front of the ballot boxes? A. There is where they met the man that assisted them.

Q. In every case except Philips'? A. I won't be positive in every case, but I remember distinctly that Philips was one of those who were led in the place and led out again.

Q. You testified in your direct examination that you gave these names from memory; isn't that so? A. I can give them from memory, yes.

Q. Didn't you consult the registry list just before you went on the stand? A. No, sir.

Q. You are sure of that? A. I am quite sure.

Q. Didn't you come and ask the counsel in the case for the registry list? A. No, I did not.

Q. And did not consult it? A. I did not consult it.

William R. Dorman, called on behalf of contestant, being duly affirmed, testifies as follows:

By Mr. Kneeland:

Q. What is your business? A. Insurance clerk.

Q. Were you in any manner connected with the Fifteenth election district of the Ninth ward in the last election? A. I was poll clerk.

Q. What time did you arrive there in the morning? A. About half a minute before the time for the opening of the polls; I have forgotten what time that was.

Q. And you remained until when? A. I think about half or three-quarters of an hour before the doors were locked.

Q. When were the doors locked; were the doors locked at the close of the polls, do you recollect? A. The chairman announced the time for the closing of the polls and the doors were locked about fifteen minutes afterwards; no one was allowed to go inside the rail after that time.

Q. At the time that the closing of the polls was announced were there any persons in the booths? A. Some eight or ten; eight perhaps.

Q. Eight inside of the railing? A. Inside of the railing.

Q. How many booths were there there? A. Ten, I think; there were at least five inside the booths, at least five who were allowed to vote.

Q. Do you recollect hearing an objection on the part of Mr. Kneeland at the time the polls were closed; an objection to another person being allowed to deposit their ballots? A. Yes, on the part of Mr. Kneeland and others.

Q. What was the ruling of the chairman of the board of inspectors? A. I don't know as he made any formal ruling; he simply said it was all right for them to vote.

Q. Did all that were inside the railing vote after the polls were declared close? A. Yes, they all voted.

Q. Now, coming back to the beginning of the time; to begin with, you were poll clerk, were you not? A. Yes.

Q. Did they commence with No. 1 or did they commence at the other end? A. They commenced at the highest number, 607.

Q. And they went backwards instead of forwards? A. They did.

Q. Did you observe anything else that was wrong in regard to the commencement? A. At the beginning a number of men came in (presumably under the charge of a certain Democrat there and the other ballot clerk at the place) and the ballots were given out to these men at random without calling off their numbers, and without calling off their numbers all through the day; not a single number was called off when a man deposited his ballot; these men were given their ballots, and at last I objected, but all the other men had been there years before and knew all about it and said it was all right; the men had to get to their work; so somewhere between ten and twenty ballots were given out without having the names of the voters called off and given to the poll clerks; they went forward and gave them to the ballots clerks themselves before they went into the booths and after they came out.

Q. Did you notice any electioneering going on within the building or immediately in front of it? A. Immediately in front

of the doorway and close up to the railing it was filled with men who either had badges of the Democratic Association on or else were in conversation with them almost all the whole time; Republican workers were there for a while, but very few were allowed, and those who were official watchers; I think there was one, and from the Young Men's Democratic Club one man who tried to stand by the rail was pushed out and assaulted and knocked down.

Q. State whether that was done immediately after his first challenge? A. I could not say.

Q. It was after the challenge made by him? A. I couldn't say about that; he was pushed out and knocked down; for at least an hour after the opening of the polls only Democratic workers was allowed inside the rail, and not a single Republican worker or watcher was allowed inside the rail.

By Mr. Magner:

Q. Do you mean Democratic watcher or worker? A. I couldn't say whether he was a watcher or not.

By Mr. Kneeland:

Q. Do you recollect when Mr. Kneeland insisted that the inspectors should allow the Republican watchers to go inside the rail? A. I do.

Q. Were they allowed to go in? A. They were not.

Q. And they were kept outside the rail all day long? A. They were; they were kept outside the door part of the time.

Q. Now, I ask you in relation to the challenges; were there any preliminary challenges given there that day? A. The only challenge that was given was always a preliminary and a final one, too; there was only one oath ever given.

Q. What was that? A. I couldn't say exactly what it was; it hardly sounded legal, formal or rhetorical at all: it was simply asking [I am pretty positive that no one can show proof that any record was kept of these challenges].

The part of the answer in brackets is objected to and stricken out, upon motion.

Q. I ask you whether every challenge that was given during the day could be answered by the voter yes or no, other than you swear, etc., and the voter answered yes? A. Not by the inspectors.

Q. I am speaking of oaths; were there any oaths given other than that general oath that is answered by the words yes or no? A. No, there were none.

Q. You recollect quite a number of people being challenged there? A. Yes.

Q. You challenged one man? A. Yes.

Q. In whose name was the party voting that you challenged? A. In the name of Mr. Beers, the brother of Leroy Beers; I don't know the man's name; I know about where his address is, and I know his brother quite well.

Q. Were you there when the man who voted in the name of Jimmie Moore voted? A. Yes.

Q. Was the man who voted in the name of Moore a colored man or an Irishman? A. A colored man; he wasn't very sure about his name until he had been asked two or three times, and he was coached by those outside the rail, and he wasn't sure of his address until he was coached.

Q. It is a fact that he gave the wrong address two or three times? A. I don't know what address he meant to give, but I know he gave two or three addresses before he finally decided on one.

Q. Do you recollect the fact as to whether he was directed to go out and find out where he did live? A. I couldn't say as to that; I know one man was directed to go out and find out where he lived.

Q. Do you recollect the fact that before he voted, and before they finally concluded what his address was, that Mr. Kneeland announced to the inspectors that this man had a slip in his hand which Mr. Kneeland was then reading, stating that his address was 268 St. Marks, or whatever the address was; do you recollect any conversation of that character? A. Yes, I do; I remember of seeing a number of slips like that, and they read their names off of a piece of paper; they held the slip down and read it off after they got inside the rail, or if they had forgotten the name they would glance down.

Q. And you saw that in a number of cases that day? A. At least three.

Q. The Democratic headquarters was next door, was it? A. It was the next building, with one block between.

Q. This is the ward that Daniel O'Connell votes in, isn't it? A. I can't say that I remember his voting; I remember seeing him there a large part of the morning.

Q. What did he have to say and do there in the forenoon of that day? A. When I came into the voting place I made an error; I went to the wrong voting place first in district No. 5, and so I came very close to the time of opening; the desk of the poll-clerks was on the other side —

Q. Go ahead and say what you have to say about Daniel O'Connell? A. (I objected to certain arrangements going on there, as I was positive it was wrong.)

The part of the answer in parenthesis is objected to and stricken out upon motion.

(Answer continued.) One was that the inspectors were going to take the stubs that were torn off from the ballots, and I stood my ground for a minute and everyone was against me, and O'Connell said: "Young man, get over in your place and don't stop the voting or I will have you arrested;" I stood there a minute longer and so I had to take my place the other side of the room, and when these fifteen or twenty men came in to which I have referred at first Mr. O'Connell stood beside them and gave instructions and advice and comments very prominently and most things went the way he said.

Q. Do you recollect whether or not the doors were locked when the canvass commenced? A. Yes.

Q. Was it locked excepting when people were coming in and going out? A. It was closed; I can't say whether it was locked or not; I meant it was closed, and it was locked a part of the time, I am sure.

Q. Did you see Mr. O'Connell talking to any of these men who had slips in their hands? A. No.

Q. Did you see any pasters given out inside the rail? A. Not inside the rail.

Q. Did you see whether any people there voted assisted? A. Quite a number.

Q. About how many? A. Fifteen at least.

Q. Did you give the ballots to these people as they voted? A. A part of the time, and the other ballot clerk the rest of the time.

Q. Did you notice the other clerk when he gave the ballots to them? A. I did.

Q. State whether or not they came up themselves and received the ballots? A. The ballots were given to the voters direct.

Q. Did they have any one to lead them along in when they came into the rail? A. Yes, to the rail, and in case of a man who was physically disabled, that is, by blindness, some one led him inside the rail.

Q. Did you take notice to ascertain whether they were blind or not after they had announced their blindness? A. I can not judge whether a man is blind always, but I remember the statement of at least one man that he was not blind and he repeated it two or three times and would not swear that he was blind; then there was a great hubbub; every man got in his word and finally the man swore he was blind.

Q. When these people got through voting would they pass out alone or would they have some one lead them out? A. I couldn't say about that.

Q. State from your observation of them whether or not, in your opinion, those persons or any of them were absolutely blind?

Objected to as leading. Question withdrawn.

Q. State how much you observed them? I would say that there might have been two that were blind and not able to see to read.

The answer is objected to as not responsive and motion made to strike it out.

Q. To what extent did you observe them? A. Well, I watched each man as carefully as I could.

Q. For the purpose of finding out whether he was really blind or not?

Objected to as leading.

Q. For what purpose? A. I made the statement that I couldn't state definitely whether a man was blind; some two men, I said, I was pretty sure were blind.

By Mr. Magner:

Q. What did they do, these two men? A. They walked along the way blind men do, and acted the way blind men do, in an indeterminate sort of a way; not sure where they are going or what they are going to do; others were able to get along all right.

By Mr. Elliott;

Q. From your observation, with the exception of those two men, what is the best of your opinion as to their being blind?

Objected to. Objection overuled. Exception taken.

A. They were not blind.

Cross-examined by Mr. Magner:

Q. You say that there were fifteen of these men assisted? A. At least fifteen.

Q. Can you give me the names of any? A. I can not; I can remember a few faces, but I know just exactly one man in that district.

What were your duties? A. Ballot clerk.

Q. You kept the record? A. I gave out the ballots.

Q. Didn't you have to keep a certain record? A. Of the ballots given out, yes, and those returned.

Q. But you took the name down? A. That is the duty of the poll clerk; I simply took the name of the man and gave him the ballots and called out the number to the poll clerk.

Q. You can't give the names of any of these people? A. I remember the name of that colored man to which we referred.

Q. Who was that? A. The man who said he voted for John Moore, I think.

Q. He took the disability oath? A. No, he swore he was John Moore, but those who swore to disability I don't remember the names of a single one.

Q. They all took the proper oath? A. They took an oath.

Q. And they were told to raise up their right hand? A. Yes.

Q. And you heard the words, "You do solemnly swear?" A. No, I didn't.

Q. What did you hear? A. I heard a sound something like that Mr. Elliott just made, a mumbling sound.

Q. Was the word "swear" used at all? A. I think I did hear "swear" once or twice.

Q. And the question of physical disability came up afterward? A. There was only one oath put to a man.

Q. Were these fifteen men who were assisted all men who made the excuse of blindness, or were there other physical disabilities? A. There were one or two others; I remember one distinctly.

Q. And that is included in the fifteen? A. No; that fifteen was a mere estimate of the number of men who took the oath that they were blind.

Q. And you can't give the names of a single one of them. A. No.

Q. Nor their appearance to describe them, or where they came from? A. I don't know where any of them came from.

Q. They gave their names? A. Yes.

Q. And you made no minute of it? A. I am not allowed to make a minute, as I understand.

Q. Couldn't you make a memorandum on your own papers if you so desired? A. I should do so in the future; I never had any experience before.

Q. You didn't do it then? A. I did not; I made no memoranda.

Q. Did you request the poll-clerk who was your associate there to make memoranda of any kind? A. I referred the matter to the inspector.

Q. Did you request the poll-clerk to make any memorandum? A. No.

Q. You knew it was the duty of the poll-clerk to note the challenges and the remarks about disabilities? A. Yes.

Q. And you never made a complaint about his not doing it? A. The inspector had charge of the place and I spoke to him.

Q. And not to the poll-clerk? A. Not to the poll-clerk.

Q. How frequently did you speak to the inspector? A. Until I got tired, and that was about five or six times.

Q. And it was the Republican inspector you spoke to? A. To each.

Q. And the Republican inspector paid no attention to it? A. He paid no attention.

Q. There was no endeavor on the part of the Democratic inspector to prevent the Republican inspector from making any request, was there? A. How would you describe an endeavor on his part?

Q. Did the Democratic inspectors in any manner prevent the Republican inspectors from making protests about these disabled voters, or from making note of them? A. Yes.

Q. What did they do? A. The oath was given and the inspector would say, "That is sufficient; he has taken the oath."

Q. You have already testified that the Republican inspector paid no heed to your protest? A. He paid no heed.

Q. I ask you was it because the Democratic inspector interfered with him in any way? A. He didn't threaten him with doing him physical harm.

Q. Did the Democratic inspectors interfere with the Republican inspectors in any way? A. Not interfere with him; he made a decision and said that was final.

Q. Did anybody prevent the Republican poll-clerk from making a minute in his book as required by law? A. No.

Q. Anybody suggest that he do not do it in your presence? A. No.

Q. Did anybody make any protest or complaint on that day in regard to irregularities other than yourself? A. Yes.

Q. Tell me who? A. A Republican watcher; I don't know whether his name is Foster or not; he was a tall gentleman, a young fellow about 26 or 27, perhaps; I remember he had on a gray ulster; I remember his face very well, but I don't remember his name; then a watcher from the Kings County Democratic Club.

Q. What did Foster do? A. Foster made the protest, and said the minutes of this challenge should be taken down.

Q. And the Republican poll-clerk didn't do it? A. He didn't do it, not to my knowledge.

Q. What did he say? A. I don't think he said anything about it; he didn't bother his head.

Q. The Republican inspector paid no attention to it either, did he? A. No.

Q. And Mr. O'Connell told you when you made a complaint that you should not interfere to stop the voting? A. Yes; that he would have me arrested.

Q. There was a large number of voters? A. Quite a number.

Q. It was in the early morning? A. In the early morning.

Q. They were desirous of getting to their work? A. They were.

Q. And you made so much noise and disturbance that you prevented them from voting, is that it; answer yes or no? A. I don't think I can answer yes or no, because I don't know what you mean by noise and disturbance; that is a matter for somebody else to judge.

Q. And the person who did judge that was Mr. O'Connell on this occasion, and he said you were interfering with the voters, and he would have you arrested if you did? A. That's it.

Q. He didn't threaten you with anything else but to have you arrested? A. He threatened to have me arrested.

Q. He didn't threaten you physical harm? A. Oh, no.

Q. But you ceased your interference after that remark of his? A. Not directly after that; after the inspectors wouldn't heed me, would not uphold me.

Q. You say there was electioneering there; was there any effort made on the part of the officials to discriminate between Democrats and Republicans as to electioneering? A. Not on the part of officials, except that a certain man, whose first name is either John or Steve, was allowed to stay inside the rail; no Republican was allowed inside the rail.

Q. The Republican inspectors were there? A. Yes.

Q. They permitted it? A. I didn't hear them, but it was in a very faint way if they did.

Q. Did you hear them? A. I heard them mumble once or twice.

Q. What did you hear them mumble? A. I couldn't say.

Q. So that, as a matter of fact, you didn't hear them make any complaint at all? A. Practically none.

Q. Do you know whether this man was a Democrat or a Republican that got inside the rail? A. As near as we can judge in the case of almost any man, he was a Democrat.

Q. Why do you judge he was a Democrat? A. From the fact that he was challenged by a Republican watcher, who said he knew all about him.

Q. That was all? A. That was one reason; another reason, he was in communication with the Democratic leaders there every few minutes.

Q. And that was all you observed that would lead you to say he was a Democrat? A. That is all.

Q. You say that you saw three men vote on slips? A. With slips in their hands reading something from it when they gave their names and addresses.

Q. You don't know what was on those slips? A. I know they looked at them.

Q. It was a piece of paper; you don't know what it was? A. No, I couldn't.

Q. It might have been a Democratic or Republican paster? A. It might have been a Bible verse for all I know.

Q. You were seated during the day, were you? A. I don't remember sitting down at all.

William M. Winant, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. 858 Pacific street.

Q. That is what ward? A. Ninth ward.

Q. Were you an election officer on election day? A. Inspector.

Q. In what district of what ward? A. Fourth district of the Ninth ward.

Q. And you were there at the opening of the polls? A. I was.

Q. To the close? A. To the close.

Q. Did you see any persons vote there that day that had no right to vote there? A. Yes, there were three.

Q. State their names, if you can, and circumstances surrounding their voting. A. Well, I have their names on a slip of paper here; Andrew Van Blarcken, Charles O'Neill and George Williams.

Q. Where did they claim to live? A. Mr. Van Blarcken claimed he lived on the corner of Vanderbilt avenue and Bergen street.

Q. You made an investigation to learn whether he lived there or not? A. I did.

Q. Was he challenged? A. He was.

Q. Did he swear his vote in? A. He did.

Q. Who is the other man? A. Charles O'Neill lives in Bergen street.

Q. What is the number? A. I really forget the number, but it is in the row of flats there.

Q. You investigated it? A. I did.

Q. Did he live there? A. All the tenants of the house tell me he did not.

Q. Did he vote? A. He did vote.

Q. Was he challenged? A. He was.

Q. What is the other man? A. George Williams.

Q. Where does he claim to live? A. Claimed to live in a house in Bergen street that is occupied by a shoemaker; I forget the number.

Q. Did you investigate that? A. I did.

Q. What did you learn? A. They said he did not live in the house and never had.

Q. As the result of your investigation, did those persons who claimed to live in that house live there or did they not? A. Two of them didn't and the other one I was told did not.

Q. Which one were you told did not live there and which ones did you say did not live there? A. George Williams did not live there, and Andrew Van Blarcken did not live there, and O'Neill the tenants merely told me that he did not live there.

Q. Did any other persons vote on that election day who were not entitled, to, so far as you know personally? A. That is about all.

Q. Did you see any persons vote there who claimed to be blind? A. Yes, there were about a dozen.

Q. Do you remember the names of any of them? A. No, sir.

Q. Did you examine them personally when they came in to see whether they were blind or not? A. I did.

Q. State what you observed; what indication was given to you by what you saw to satisfy you? A. They came in alone except two; there were two that I should have administered the oath to and the others I would not have administered the oath to.

Q. Did any conversation take place between the inspectors and the persons who claimed disability? A. None at all.

Q. Did they ask for assistance? A. Some of them asked for assistance, and others some of the workers told them they were blind and they would assist them.

Q. Without their being blind? A. Without their being blind.

Q. Will you tell the committee about how many persons were assisted without being asked, approximately? A. Three or four.

Q. You saw them vote? A. I saw them vote.

Q. Was the oath administered to them? A. Part of it.

Q. Could you hear the oath as administered? A. Yes.

Q. Will you tell the committee in your own languarge what the oath was? A. "Do you solemnly swear that your eyesight's

poor;" that was one, and in the other case, "Do you solemnly swear that your eyesight's defective."

Q. Can you give the committee the names of the persons who went in to assist them prepare their ballots? A. No, I can't.

Q. Do you anything about their politics, whether they were Democrats or Republicans? A. To the best of my knowledge they were Democrats.

Q. Do you know whether the persons who went in to assist them were Democrats or Republicans? A. They were the same.

Cross-examined by Mr. Magner:

Q. What does your knowledge of that fact consist of? A. From observation and belief.

Q. Gives us your observation? A. They were working with the Democrats, and when the Republican inspectors would raise a question, and an objection, these other men, this crowd of men that they were with, would sustain the Democratic officers of election, and from that I supposed they were Democrats.

Q. You don't know their names? A. I don't know their names.

Q. You don't know anything about them? A. Yes; I know all about them except I don't know their names; I know they all said they lived in the district.

Q. What was your position? A. Inspector.

Q. How long were you there? A. Until the close of the canvass.

Q. Did you make any objection to these men voting? A. I did.

Q. How often? A. In every case.

Q. You don't remember the names of any of them? A. Only the ones I have given you here.

Q. You say you went to this house where O'Neill lived in Bergen street, or was supposed to live? A. I did; yes, sir.

Q. What did you do there? A. I took a man with me and we went to the first floor and inquired if this man O'Neill lived there, and she said "No;" he said, "Are you sure he is not a boarder here?" and she said, "No;" I said, "Who does live here?" and she told me who did live there and I went upstairs.

Q. And you asked some questions there; so all the knowledge you have is what the residents told you? A. That is all.

Q. And the same applies to Van Blarcken and Williams? A No, sir; I am acquainted with the party where George Williams says he lives.

Q. What kind of a house is it? A. It is only a two and three room house; old man and his wife live there together; he is a shoemaker.

Q. Did you ask them about it? A. I did.

Q. What did he say? A. He said they never lived there.

Q. You go there often? A. No, sir; only twice.

Q. And the information you have is the result of what these people told you? A. Yes.

Q. What information have you in regard to Van Blarcken? A. I went to his house, went all through it with another party with me, and I asked the tenants, and I asked the landlord afterwards, and he said he didn't live there; and after election I told him this man voted, and he said: "Why didn't you get him arrested? he doesn't live in this place."

Q. And that is all the information you have? A. That is all.

Mr. Magner moves that the testimony of this witness be stricken out.

The majority of the committee deny the motion and receive the testimony for what it is worth.

The minority of the committee sustain the objection and favor the granting of the motion to strike out, on the ground that the proper parties to prove the facts testified to by the witness are the ones from whom he derived his information; that there is nothing to show that these persons cannot be presented.

Mr. Magner objects to the ruling of the majority of the committee.

Raphael Jingo, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Kneeland:

Q. What is your business? A. Shoemaker.

Q. Where is your shop? A. I have got two shops; one 704 Prospect place, and another 680 Douglass street.

Q. Where do you live? A. I live in 704 Prospect place with my folks.

Q. Who lived on your floor where your shop is in 680 Douglass, in November, before the election? A. Just the same family

as is living now; I don't know the name, and my boy says he has got only two children; I don't know; the boy says to me this.

Q. He says there is only one man lives on that floor? A. Yes; one man and a wife and two children.

Q. Was there any person living there during the month of October and November other than that person that is living there now? A. Only the same man I got there now; only one, and another man is going to sleep there every night.

Q. Who sleeps there at night? A. Saverio Ventura.

Q. Now write down the name of the other man that sleeps there? A. Antonio Maiorino.

Q. That is all that slept on the first floor before the election? A. Yes, sir.

Q. And upstairs? A. The same man, he, this man here.

Q. Is that all there were in that building; was there any one else in the house; didn't some one live upstairs? A. I say I don't know; I tell you the second time I don't know the folks at all.

Q. Was there more than one man that lived there, upstairs? A. Yes, the boy, the workman, he says to me —

Q. Were they Italians that lived upstairs? A. No.

Cross-examined by Mr. Magner:

Q. You are an Italian? A. Yes, sir.

Q. You don't understand English very well? A. I understand English a little bit.

Q. You didn't know half the questions that were put to you by counsel on the other side; you didn't understand some of them? A. I not understand them?

Q. You don't understand what I ask you? A. When he is talk to me I understand what he says.

Q. When the lawyer was asking you questions you didn't understand some of them? A. When I understand I talk, and when I don't understand I don't talk.

Q. What is your business? A. Shoemaker.

Q. How long have you been a shoemaker in this house where your shop is now? A. 804 Prospect place, I live four or five years.

Q. In Douglass street? A. I buy that place one year and a half or twenty months ago.

Q. You bought the shop? A. Yes, buyed the shop.

Q. You didn't buy the house? A. No, only the shop.

Q. There is a family lives upstairs? A. When I buy I know the family; she used to live the same block, only four or five little houses the other side on the same street.

Q. I speak of the family upstairs; do you know that family? A. Well, I don't know, because I don't live at that place; the workman say to me — I don't live at the same place.

Q. How many families upstairs? A. Only one.

Q. How many stores? A. Only one, the little shanty.

Q. How many workmen have you? A. I got two and some of the time three; I got three.

Q. The workmen that live there? A. One workman live at the place at Douglass street and two workmen live at 704 Prospect place.

Q. You live at 704 Prospect place? A. Yes.

Q. You go home every night? A. I live at the same place; I have got one little boy, and when I came back —

Q. Have you any boarders? A. No.

Q. Nobody lives in the house with you except those two workmen? A. Only two workmen.

Q. How many workmen had you last month? A. Two.

Q. How many in November? A. Two.

Q. How many in October? A. Two; only this month I got another man, because he says, I want to make some persons second-hand shoes.

Adjourned to February 1, 1894, at 10 A. M.

HEARINGS BEFORE ASSEMBLY COMMITTEE — KNEELAND AGAINST HUGHES.

February 1, 1894.

Before Messrs. Keck, Gould and Harrigan.

Same appearances as before.

William R. Beers, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Kneeland:

Q. What is your business? A. I am a builder.

Q. Where is your brother? A. I don't know just where he is now.

Q. He resides with you? A. Yes, sir.

Q. Do you know where your brother was on election day? A. Yes, sir, part of the time.

Q. Where? A. In Erie basin, on a vessel; on board the steamship Alliance.

Q. Was he there all the afternoon? A. I don't know; a part of the time; he was supposed to be there all day.

Q. Were you present at the polls in the Fifteenth district of the Ninth ward when a person voted in the name of your brother, George K. Beers? A. I wasn't there.

Q. Did you go down to see your brother in the afternoon to get him to come up and vote? A. Yes, sir.

Q. What time in the afternoon was that? A. Half-past 2 or 3 o'clock.

Q. Between 2 and 3 o'clock where was he? A. On board the ship.

Q. And where was this ship? A. Erie basin.

Q. How long does it take to go from there to the poll in the Fifteenth district? A. I should judge about three-quarters of an hour.

Q. Had your brother voted prior to the time you went down there on election day? A. I don't know.

Mr. Kneeland asks leave to put on the stand Mr. Beers and one or two other witnesses after he has formally closed his case, simply to prove the fact that they did not vote. No objection was made.

Mr. Kneeland:

I will now read in evidence the registration in certain of the districts of the Ninth ward in the presidential year 1892 and the year 1893 for the purpose of showing a heavy increase in the registration in all of the Democratic districts of the Ninth ward:

Mr. Hoye objects as immaterial and irrelevant.

Objection overruled. Exception taken.

Mr. Kneeland:

(Continuing.) The heavy Democratic districts are from the Seventh to the Sixteenth inclusive and the Third and Fourth. They are as follows:

Registration district.	1892.	1893
Seventh	302	339
Eighth	203	233
Ninth	295	325
Tenth	224	250
Eleventh	289	318
Twelfth	229	261
Thirteenth	275	301
Fourteenth	227	290
Fifteenth	394	471
Sixteenth	232	265
Third	240	242
Fourth	275	286

I will now read for the purpose of comparison the record of the heavy Republican districts:

Registration district.	1892.	1893.
Seventeenth	256	266
Eighteenth	267	277
Nineteenth	289	281
Twentieth	315	307
Twenty-first	294	301
Twenty-second	330	315
Twenty-third	212	219
Twenty-fourth	332	323
Twenty-sixth	277	278

Stephen Mingo, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. 554 Vanderbilt avenue.

Q. Did you vote at the last election? A. Yes, sir.

Q. And did you vote the Democratic ticket?

Objected to. Objection overruled, the chairman stating that the witness may answer or not as he pleases.

A. Yes, sir.

Q. Did you object to answering that question. A. No, sir.

Mr. Hughes objects that the witness has no right to divulge the ticket he voted.

Objection overruled.

Q. In what district of what ward did you vote? A. Fourth district of the Ninth ward.

Q. Who got you to vote that ticket? A. Richard Driver.

Q. Were you paid for that vote?

Objected to.

A. Yes, sir.

By the Chairman:

Q. Do you understand what the law is with reference to bribery at elections? A. No, sir.

Q. Do you know that the person who offers a bribe or one who receives it is liable to criminal punishment? A. No, sir; I did not.

By Mr. Kneeland:

Q. Did you testify before the grand jury? A. Yes, sir.

Mr. Hughes objects to this testimony on the ground that notwithstanding the law is that the testimony before the grand jury cannot be used for the purpose of convicting of an offense, that the same testimony if given in any other place may be used for that purpose.

Objection overruled.

The Chairman:

I instruct the witness that he must not state now what evidence he gave before the grand jury.

Mr. Elliott:

In the line of what the chairman has stated I desire to say to the witness that he may tell any fact or answer any question that is put to him, but he must not tell what he stated to the grand jury.

Q. (Repeated.) Were you paid for that vote?

Objected to as immaterial and irrelevant unless the sitting member was present and cognizant of what was going on between this man and the man he is speaking about.

Objection overruled. Exception taken.

The Chairman:

I will direct the witness to answer the question and thereby relieve him of all responsibility? A. Yes, sir.

Q. From whom did you receive the money you were paid for your vote? A. John McCabe.

Q. Who is he? A. That I can't exactly answer, because I am not personally acquainted with him; I can describe him.

Q. Were you paid the money and how were you paid it? A. At the Democratic headquarters in an envelope.

Q. State the place where the Democratic headquarters were? A. It was on Vanderbilt avenue near St. Mark's.

Q. Do you know the number? A. No, sir.

Q. Is it the Democratic headquarters for the Ninth ward? A. Yes, sir; I think so.

Q. What time of day was it when you voted? A. I voted, as near as I can judge, about half-past 10.

Q. How long after did you receive your money? A. About half-past 7 or quarter to 8.

Q. In the morning? A. No, sir; in the evening.

Q. How many of you were there that went to get your money? A. That I don't know.

Q. Well, about how many? A. There were none went there with me.

Q. You went alone? A. Yes, sir.

Q. Did you see any men coming away from this place where you were?

Objected to as immaterial and irrelevant.

A. Yes, sir; I seen lots of them, but I can't say exactly how many.

Q. Well, about how many? A. Well, I should judge there was about twenty or thirty.

Q. Wasn't it nearer forty or fifty; now stop and consider?

Objected to as leading. Question withdrawn.

By the Chairman:

Q. If you can state any nearer on reflection as to the number, then do so? A. No, sir; I don't think I can.

By Mr. Elliott:

Q. Where did they wait at that time, these people that you speak of; the twenty or thirty that you saw coming from the headquarters on the evening after the election?

Objected to as immaterial.

The Chairman:

It is immaterial so far, but if not connected it will be stricken out. The objection is overruled.

Q. You stated that they were around the headquarters? A. Yes, sir.

Q. How long did you wait? A. I didn't wait any more than, I guess, ten minutes.

Q. And as you came out did you see others going in? A. Well, that I can't say that I did, because as soon as I came out I didn't look around at all; I came right on out.

Q. State whereabouts in the place did you get the money; you didn't get it at the outer door, did you? A. No, sir.

Q. Now state where you got it? A. There was a sort of a store like, where a larger portion of the men were, and in the rear was a small back room and on the door was marked "Private," and when my name was called I went in there.

Q. Who called your name? A. That I don't know; I can't tell exactly who did.

Q. You heard someone call your name? A. Yes, sir.

Q. And you went forward? A. Yes, sir.

Q. What transpired? A. I went inside and I gave them a small ticket which was given to me and they handed me this envelope.

Q. When did you open the envelope? A. I opened the envelope as soon as I got outside.

Q. What was in the envelope? A. Three dollars.

Q. What was the denomination of the bills, one-dollar bills? A. Yes, sir.

Q. When did you get that ticket? A. The day of election.

Q. Who gave it to you? A. Thomas Farrell.

Q. Where does he live? A. I don't know where he lives.

Q. Is he a Democrat? A. Yes, sir; I think he is.

Mr. Hughes moves to strike out the question and answer. Motion denied.

Q. You got that ticket, then, before or after you voted? A. After I voted.

Q. Did this man who gave you the ticket wear a Democratic badge? A. That I don't exactly know.

Q. Where did he give you the ticket; at what place? A. Just outside of the polling place.

Q. Tell the committee what he said to you when he gave you the ticket? A. He told me that would be all right, to go up there at 12 o'clock.

Q. Did you know what to do? A. With the ticket?

Q. Yes? A. Well, I didn't know any more than to go there and present the ticket.

Q. What were you to do for the ticket; what was told you that you must do to get the money?

Objected to as irrelevant and immaterial as to what was said between him and anybody else on that day, as not binding the contestant in this investigation. Objection overruled. Exception taken.

Q. Now go on and state what conversation you had with the man that gave you the ticket, and what you were to do with it. A. That is all the conversation I had with him.

Q. And what did you have with anybody else? A. I had none with no one else; that is, personally.

Q. How did the information come to you that you were to get the three dollars.

Objected to. Objection overruled. Exception taken.

By the Chairman:

Q. The committee want to know what was said to you or told you, that you should do for the ticket that was given, and by whom it was said? A. The way and by whom I understood that I was to receive money was from Richard Driver.

Q. Was anything said to you what you should do for that ticket? A. Nothing, only to vote.

Q. By whom? A. By Richard Driver.

By Mr. Elliott:

Q. What did he say? A. He told me that if I voted the Democratic ticket that the boss would make it all right.

Q. What boss? A. I presume that was the man he was working for.

Q. Who he was he working for?

Objected to.

The Chairman:

Q. If the witness knows either by being told or from observation he may state? A. He was at that time working for Daniel O'Connell.

Cross-examined by Mr. Hughes:

Q. How long have you lived in this city? A. Thirteen years.

Q. How long have you voted? A. I have been voting about twelve years, I think.

Q. And have you always voted in that locality that you speak about? A. No, sir.

Q. You have voted in other parts of the city? A. Yes, sir.

Q. You have always received pay for your vote? A. No, sir.

Q. Not always? A. No, sir; never before.

Q. Did you parade with any party during the last election? A. No, sir.

Q. Didn't parade at all? A. No, sir.

Q. Did you visit the headquarters that you speak about prior to this time? A. Once.

Q. Did you solicit any votes during election day or prior to the day? A. No, sir.

Q. And you have only visited those headquarters once? A. Yes, sir.

Q. There was a large crowd outside of this headquarters on this night you speak about? A. Yes, sir.

Q. And a large crowd inside? A. Yes, sir.

Q. And there was this number of people in every part of the building, was there not? A. Yes, sir.

Q. And they were receiving returns from the headquarters, from the different districts? A. That I don't know.

Q. Was there a number of people when you were passing in and out there inquiring in reference to the returns that were coming from the different districts? A. Men that had voted were inquiring.

Q. Wasn't there a large number of people there making inquiries as to the returns coming from different districts at that time? A. No, sir; only the men that had voted that I know of.

Q. Wasn't there about nearer to 200 people around the headquarters that night than fifty? A. Yes, I think there were.

Q. There were crowds all the way from the corner of the other street to the headquarters and inside of the headquarters? A. Yes, sir.

Q. Both colored and white people? A. Yes, sir.

Q. You have seen what you call a Democratic parade? A. I saw one or two, yes.

Q. There was a number of colored people in the Democratic parade of the Ninth ward, was there not? A. I don't know; I can't really say there was.

Q. Wasn't there a Democratic section by themselves in that ward? A. I didn't see it.

Q. Did you see the parade? A. I saw two pass the house.

Q. Did you see the Ninth ward parade? A. I saw two that were supposed to be the Ninth ward parades pass the house.

Q. And you didn't see a colored section? A. No, sir.

Q. Didn't you see a number of colored people working around the polls election day, giving out what they call pasters? A. No, sir, I didn't see it.

Q. And you know that both Republicans and Democrats receive pay for canvassing around the polls? A. I don't know; I have heard people say that.

Q. You have heard colored people say that, haven't you? A. Yes, sir.

Q. Were you ever an applicant for that kind of a position yourself? A. No, sir.

Q. Did you apply for an opportunity to do any work for the Democratic party to anybody at all? A. No, sir.

Q. This man Stivers that you speak about, what was his business? A. I didn't say anything about a man by the name of Stivers.

Q. Driver, what was his business? A. At that time he was driving a swill wagon for Mr. O'Connell.

Q. Are you quite positive of that? A. Yes, sir.

Q. That is the same party you spoke about before? A. Yes, sir.

Q. And this McCabe; you don't know what his business is? A. No, sir.

Q. Does McCabe keep an iron yard? A. I don't know.

Redirect by Mr. Elliott:

Q. So there can be no mistake about this McCabe; please describe him? A. He is a man, I should judge, about five feet three or four inches, with light hair and mustache; I think his face is some freckled.

Q. What is the color of his hair? A. His hair, I think, is sandy, if I am not mistaken.

Q. About how old a man is he? A. I should judge him to be about 32 or 33 years old.

William L. Allen, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You were an election officer in the Third district of the Ninth ward, were you? A. Yes, sir.

Q. What position did you hold? A. I was one of the inspectors.

Q. A Republican inspector? A. Yes, sir.

Q. What time did you arrive at the polls in the morning? A. Fifteen or twenty minutes before they opened.

Q. Who was elected chairman in the organization? A. We had considerable trouble about that; I spoke before the polls were opened to one of the Democratic inspectors, Mr. Gubo, and he said he was willing I should be chairman, and when they came to vote they voted two and two, and the other side refused to open the polls at all unless he could be chairman, and the polls were not opened until half an hour after time, and finally I thought it was no use to keep the polls closed all day, and I consented he should be chairman.

Q. Were there any men voted there who claimed physical disability that day? A. Yes, sir; from fifteen to seventeen.

Q. Did you make any observation of them at all to see whether they were totally blind? A. I did.

Q. Were they or not totally blind? A. I don't think there was a single man totally blind; in fact I know there was not.

Q. Were they assisted? A. Yes, sir.

Q. By whom? A. Christopher Sinot and I don't know the other man; I have the books here; I was just summoned about a half-hour ago.

Q. Were there more than two? A. Two men assisted them all.

Q. They had charge of it? A. Yes, sir.

Q. Were the men who claimed physical disability sworn? A. Yes, sir; they were.

Q. All of them? A. Fifteen at least were sworn; it is possible two men were not sworn; one man had his hands done up in such shape; he was an old man and appeared to me that he might deserve assistance, and I can't say whether he was sworn or not; and there was one other man, but there was fifteen of them sworn.

Q. Were they sworn without challenge? A. The examining inspector wanted to let them in without any oath at all, and I wasn't chairman, but I insisted upon the oath being given and he read the oath to them; and in some cases I told them it was quite a serious offense, because they were not blind, and one man gave it up and went in and voted without any assistance.

Q. When these persons claiming assistance and such oath as was administered to them was administered, who went in with them? A. Only one man went in at a time with a voter.

Q. Did any of these people who claimed disability go into the polling-places without assistance? A. Oh, yes; walked right up to the desk just the same as I would or any other man; a man who was going to assist him followed him in, right in behind every time.

Q. And they had no crutch? A. No crutch.

Q. And no glasses? A. No glasses and nothing over their eyes to indicate that they were blind.

Q. Did these same men who helped them go out with them? A. This man Sinot had charge of the election, and he went outside the railing every time; I don't know whether he went outside of the door.

Q. Could you tell whether or not these men whom you speak of came from any particular place? A. No, sir; I can't say that.

Q. In addition to these men who were assisted did you notice any irregularity at the polls that day? A. Well, there were

two men who voted, and afterwards I felt in my mind they were voting under an assumed name, although I wasn't sure of that, but afterwards two other men tried to vote on those two names, and I noticed particularly that one of them who voted first was assisted by Mr. Sinot; and these two men who came in afterwards complained they couldn't vote, and I told them they couldn't vote; they must get a mandamus from the court, and this man who went in with them, Sinot, said that any man he brought usually voted.

Q. Do you now recall that the man whom Mr. Sinot voted gave the same name as one of the men who afterwards claimed a right to vote? A. Yes, sir, but I couldn't tell the names; they were all strangers to me.

Q. And when the second man came Mr. Sinot said that? A. Yes; the second man came himself, and I made the remark that the other man had voted and he had assisted him in, and then he said a man did generally get in and vote that he took up.

Q. Did you observe any other irregularities from the opening of the polls to the closing? A. That is all I know of.

Cross-examined by Mr. Hughes:

Q. Where was that polling place? A. Opposite the Catholic church on Pacific street.

Q. You don't know the number? A. I couldn't remember it now.

Q. What kind of a store is that? A. It is a small store, rather too small for a polling place.

Q. Were there houses on either side? A. I think there is a stable on one side, and I know there was an alley-way on one side.

Q. This store was used for a candy store? A. I think I heard so; there was no sign of it then.

Q. There was not much room when the booths were up? A. It was pretty close quarters.

Q. What was the condition of the store in regard to light? A. Well, there were two lamps there, one at either end of the booths, up high, so that certainly three out of four of the polling booths were in good condition; I can't say whether the others were or not.

Q. There were several complaints there about the darkness? A. I think it was rather dark to vote.

Q. And there were several complaints made? A. I didn't hear them.

Q. Some of those men went in and came out and took the disability oath? A. No, sir; they didn't come out at all.

Q. Was there any lights put into the booths at all to assist the voters? A. They were put in to begin with before the polls opened, these two lamps.

Q. But were any lights put into the polls themselves at the request of the voters? A. No, sir; not to my knowledge.

Q. Were you there all the day? A. All day, except about fifteen or twenty minutes; they brought a carriage to take me to vote at my polling-place.

Q. You say several of the people who took the disability oath were not afflicted by blindness? A. Yes, sir.

Q. You judge that from their actions going in and coming out? A. From their actions and from looking at them when I asked them questions.

Q. How far were they from you? A. About three or four feet.

Q. You made your examination while you were talking to them? A. Yes, sir; and noticing.

Q. You didn't make any special examination of the people's eyes outside of observing with your own? A. That is all, except the way they conducted themselves.

Q. And from their appearance at the distance you speak about, and from their going in and out unassisted? A. Yes, sir.

Q. And that is what you base your judgment on, as to the fact that they were not blind, or that they had sufficient eyesight to see? A. Yes, sir.

Q. It required a man with pretty good sight to see in such a booth as that? A. No, sir; I think any man who had any sight at all could see to vote the ballot.

Q. What was this man that you say voted with the assistance of Mr. Sinot? A. The books would show, but I can't tell you the name.

Q. You remember a man voting with Mr. Sinot, and subsequently another man came in and wanted to vote on the same name? A. Yes, sir.

Q. But you can't state the name? A. No, sir.

Q. Can you describe the man? A. No, sir.

Q. Can you describe either man? A. No, sir.

Q. What is your opinion now, that Mr. Sinot assisted the man to vote? A. I know he assisted him, but I can't say the man's name.

Q. How long was it from the time the first man voted to the time the second man came in to vote on the same name? A. These two men whose votes were ruled out came along pretty near the end of the day.

Q. What time did the other man come? A. I should judge pretty near noon; I can't say positively.

David Brooks, called in behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. I reside at 641 Dean street.

Q. Did you serve in any capacity in the Fourth district of the Ninth ward at the last election? A. I did, as poll clerk.

Q. And you were there from the opening to the close of the polls? A. Yes, sir; until 3 o'clock in the afternoon.

Q. Did you also serve as a register before election? A. No, sir; I was not a register.

Q. Do you know of any persons who registered in the Fourth district who were not entitled to register and vote? A. Yes, sir.

Q. Give us the names of the persons? A. George Williams for one, Charles O'Neil was another, and Edward Van Blarcon.

Q. State what you did to discover whether or not they were entitled to register from the place where they claimed? A. A friend of mine, we went around the Saturday before election to the residences, the houses where we see they had registered from three to six months; we went from floor to floor and asked each tenant if so and so had lived there, or if they kept any boarders, and in each case we found there was no such name.

Q. Did those persons vote on election day? A. Those three; yes, sir.

Q. Were there other persons whose names were voted upon who subsequently came to the polls and tried to vote? A. There was three.

Q. Name them, please? A. Cato Jackson, Edward Andrews and a man by the name of Osterberg; I don't know his first name.

Q. Do you remember the time of the day about when they came to vote? A. The first thing in the morning, it was.

Q. Did you notice any irregularities at that poll? A. I did; yes, sir.

Q. State what they were? A. Well, there was a man there by the name of Mitchell; I think his first name is James; he stood inside, alongside of the rail, and every man that came he would pass a paster to; and there was a man there by the name of James Smith; they called him Reddy; he would follow the man in, and go right in the booths with the man without taking the oath; we challenged the man, and it did not make any difference; he would go in anyway; you couldn't stop him.

Q. Anything else that you can now recall? A. There was from fifteen to twenty-five men that claimed to be blind, and if they are blind I am blind; one case I know; there was one gentleman named Sheady; I believe that he was partly blind; that is the only man that I can recall; the other men were young men, the biggest part of them; a man would come in to vote and there would be some one of the Democratic workers would follow him into the railing; when he got his ballots they would say to him, "You can't see, can you, James?" or whatever his first name was, and he would stand there and say, "No, I can't see," and consequently somebody would go in the booths with him; and this Reddy Smith particularly would go in anyway — you couldn't stop him—without the man taking the oath at all.

Q. Was there any police officer there at the time? A. There was; we called on the police officer and he would turn his back; he never made any response whatever.

Q. You found, then, that your expressions of disapprobation were of no consequence? A. In another case Mr. Breckenridge challenged a voter, and this Reddy Smith would have struck him if there hadn't been somebody else there.

Q. Were there any other irregularities? A. No; I don't think so.

Cross-examined by Mr. Hughes:

Q. What was your position? A. Poll clerk.

Q. Had you ever filled that position before? A. No, sir.

Q. Is that your first experience as an election officer? A. No, sir.

Q. What did you hold before? A. I held a position as worker.

Q. Worker around the polls? A. Yes, sir.

Q. That is not an election officer? A. Not inside; no, sir.

Q. Have you ever held a position appointed by the board of elections before? A. No, sir.

Q. You were not an inspector on that day? A. No, sir.

Q. You say that Mr. Smith assisted several men with their ballots at that time among those fifteen? A. Yes, sir.

Q. Did you keep the poll-list? A. I did.

Q. The poll-lists that were filed? A. Yes, sir.

Q. You didn't put Mr. Smith's name opposite those people that he assisted? A. I claimed that Mr. Smith went into the booths without the men taking the oath.

Q. Among those fifteen men that you speak about that swore to the disability oath — how many was it swore to the disability oath? A. From fifteen to twenty-five.

Q. And Mr. Smith went in with nearly all of those? A. No, he didn't; I didn't say any such thing.

Q. Did he go in with any of them? A. Yes, sir.

Q. How many? A. Five or ten; not of these fifteen or twenty men.

Q. I am asking you about the men who took the disability oath; how many of those did he go in with? A. Not any of those fifteen or twenty.

Q. You are positive about that? A. Yes, sir.

Q. Just as positive of that as of anything you have said? A. I am positive of what I say.

Q. I see his name appears as going in with a man named McDonald; did you put down anything there that wasn't so? A. No, sir; I did not.

Q. James McDonald, 566 Vanderbilt avenue; didn't you put that in your handwriting? A. Are you speaking about my poll-list or the Democratic poll-list?

Q. I am speaking about this poll-list; isn't that in your handwriting?

Not answered.

Q. There was a Republican inspector there that day, was there not? A. Yes, sir.

Q. Did he make any objections to those men doing that work? A. Yes, sir.

Q. And it was he who made the objections to the different men going in in that way? A. There was others making objections.

Q. Did you make any objections? A. I did not; I had about all I could attend to.

Q. How far were you from the voters when they received the ballots? A. Just about the same as these two desks; I should say about three feet.

Q. How far were you from the voter? A. Not over a foot from the voter; half of them come in and turned and faced the poll clerk instead of the ballot clerk.

By the Chairman:

Q. Do you mean when they deposited their ballot? A. I thought he meant when they came in.

By Mr. Hughes:

Q. (Handing a diagram to witness which was furnished by the board of elections.) Is that a diagram of that polling place? A. Yes, sir.

Q. The railing is just as you go in the entrance? A. No, it is about two feet in from the door.

Q. So that the voter passes between the poll clerk and the ballot clerk? A. Yes, sir; the ballot clerk is on the left side and the poll clerk and the ballot clerk was facing each other, and the voter passes between the two.

Q. Did you vote in that district yourself? A. I did; yes, sir.

Q. Did you visit any of the booths before the opening of the polls? A. We put shelves up; yes, sir.

Q. Did you furnish any lights at that place? A. No; we wanted lights and we went to the man that let the building and he wouldn't give any.

Q. What kind of a store was that? A. A barber shop.

Q. A small place? A. It wasn't very large and it wasn't very small.

Q. Well, it was pretty well crowded with the booths, etc., when you got in there? A. It wasn't so crowded, no.

Q. Can you tell us what the dimensions of the place were? A. No.

Q. From the fact that the poll clerks had to keep their desks and tables in front of the ballot clerks instead of alongside of them isn't it a fact that they were pretty well crowded? A. Well, I suppose the room was about fifteen by twenty.

George W. Jones, called on behalf of contestant, being duly sworn, testifies as follows:

By Mr. Elliott:

Q. Where do you live? A. 544 Vanderbilt avenue.

Q. That is in the Ninth ward? A. In the Ninth ward, sir.

Q. Did you vote at the last election? A. I did, sir.

Q. In what district? A. The Fourth district.

Q. How long have you lived in the Ninth ward? A. I have been living in the Ninth ward about seven years.

Q. Was there an organization of colored men formed in your ward at the last election? A. Yes, sir.

Q. Under what party name? A. Under the Richard Driver Colored Democratic Association.

Q. Who was instrumental in formiug that association? A. Mr. Driver, Mr. Alexander Allen, Mr. John Jasper and Mr. George W. Jones, myself.

Q. After you had formed your organization did you go to see any of the Democratic leaders of the Ninth ward? A. We did, sir.

Q. Whom did you go to see? A. We went up to the Democratic headquarters.

Q. Whom did you see there? A. I saw Mr. O'Connell and several other gentlemen.

Q. Did you have any conversation with Mr. O'Connell in reference to your club?

Objected to as immaterial; that it has no beáring on the charge of conspiracy. Objection overruled, the chairman stating that the testimony will be stricken out unless connected. Exception taken.

A. Yes, sir.

Q. State what it was? A. It wasn't very much, but I showed him this list of men which we had had, and the club which was organized, and he said to Driver and I, "Now, Jones, you and Driver, I will draw you two men to go through the Ninth ward and collect each and every colored voter of this ward and bring their names and addresses to me;" nothing more but just to do that, and that I did, Mr. Driver and I, and that was all we did.

Q. He told you to do this, and then what did he add? A. He said, "I will make it all right with you."

Q. Then what did you do? A. We did it, sir; we were employed by Mr. O'Connell at that time, and we did what we were instructed to do.

Q. You held meetings how often? A. Once a week sometimes, and perhaps twice a week.

Q. After your meetings where did you go? A. We were invited to come up to headquarters one evening.

Q. Where were the headquarters? A. In Vanderbilt avenue, near St. Mark's.

Q. In whose place? A. I don't know whose place it was.

Q. Did you go anywhere for refreshments? A. We were all invited to get a drink on the corner of Vanderbilt and Bergen.

Q. Who paid for it? A. I didn't see anything paid for it.

Q. At whose invitation did you go? A. If I am not mistaken, Mr. Gray.

Q. On one occasion; tell me now other occasions? A. The same party both times.

Q. When Mr. Gray asked you over there who was with you? A. Nobody but a body of men.

Q. Were there any other Democratic leaders around there? A. I didn't notice.

Q. Did any of you go into Mr. O'Connell's place? A. Oh, we had come from Mr. O'Connell's before we went to get this drink or treat; where he was; not his place, but the Democratic headquarters.

Q. Then you did get these names and give them to Mr. O'Connell? A. I did, sir; I didn't give them to him individually, but I went and he wasn't there and I presented them to his secretary.

Q. What was his secretary's name? A Mr. Johnny McCabe; that is the only gentleman I saw writing there at that time.

Q. How many names did you furnish him? A. After we had collected all these names, if I am not mistaken, there were eighty-three or eighty-four names.

Q. Did you have any conversation with Mr. Driver in reference to the names? A. Oh, yes, sir; him and I was together all the time, in collecting these names.

Q. What did he say to you in reference to these names as to what was to occur on election day? A. He didn't say anything then.

Q. Did he say anything subsequently? A. He said we would be well paid, because he knew Mr. O'Connell well, and had worked for him.

Q. Did you receive anything from Mr. Driver or anybody else in the way of tickets for election? A. I did not, sir.

Q. I mean the other boys? A. Not to my knowledge; I didn't see any; I heard a lot of talk, but I didn't hear that part at all.

Q. You voted at that place, didn't you? A. I voted in the Fourth district; yes, sir.

Q. And were you up there at half-past 7 in the evening when the other men congregated around there? A. No, sir; I wasn't there at half-past 7.

Q. Were you earlier or later? A. Yes; I was there off and on all day.

Q. Do you know the last colored witness on the stand? A. Yes, sir.

Q. Were you with him on election night? A. After everything was over I went to the house.

Q. After what was over? A. After the polls had been closed and everything was done away with, as far as I know; I went home then.

Q. You heard his statement about going to the Democratic headquarters and giving his ticket and getting his money? A. I did, sir.

Q. Were you with him? A. I were not, sir; at that time I were not.

Q. How long after that did you see him? A. I should judge it was about 8 o'clock or half-past 8.

Q. That was about an hour after he got the money? A. I suppose so.

Q. You were at the Democratic headquarters when the men went up to get paid? A. I was there; there was quite a number of them there; yes, sir.

Q. Tell the committee as near as you can at this time about how many were there? A. I should judge about thirty-five or forty men.

Q. Give us the names of some of them? A. There was quite a number of them there, sir.

Q. You were the secretary, and you recorded the names of every one of these men? A. Oh, yes, I was secretary.

Q. Give the committee the names of the men you found there as near as you can? A. The men that were waiting for what they were to receive?

Q. Yes? A. There was Isaac Carl and one William Henry Jackson; Alexander Logan, William Jemmison, Albert Driver and myself; there was quite a number of them; Edward Andrews, Sylvester Williams, William Brown, Alexander Allen; that is about all I can think of.

Q. Give us their last names, or the name you call them by, if you can't remember the whole name? A. There was one Richard Banyan, Edward Johnson, Alexander Brown, John Jasper; there was so much of a crowd there it is impossible for me to remember so many of them; probably if it wasn't on this occasion it would all come to me as if I was reading.

Q. Not confining yourself to those that were there on this occasion, give us the names of the men of your club, as you can think of them, that you gave to Mr. O'Connell? A. Mr. Richard Driver was president; Mr. John Jasper, vice-president; Alexander Allen supposed to be treasurer, and George W. Jones, myself, secretary; then there was Henry Johnson, Alexander Logan, Henry Dupre, Calvin Luther, William Brown, Richard Banyan, Sylvester Williams, Alexander Brown, Edward Johnson, Robert Owens, Robert Herbert, Stephen Mingo, Stephen Rix, Edward Andrews, Henry Williams, David Jemmison; I guess that is about as many as I can think of; Richard Cole, Peter Bland, Joseph Cozzens, John Gatsen, John Freeman and Richard Saunders; I think that is about all I can think of.

Q. Very many of these persons were strangers to you up to the time you went to get their names and gave them to Mr. O'Connell? A. Yes, sir.

Q. Of these men that you did get, had they been formerly Republicans, a great many of them? A. Not to my knowledge; I couldn't say.

Q. Did your club ever get together after election? A. No, sir, not to my knowledge.

Q. You are still the secretary? A. Yes, sir; I have the honor of being that name yet.

Q. Nobody has ever called upon you for room rent? A. No, sir.

Q. You never paid any room rent? A. No, sir; I didn't pay any.

Q. And you have never been asked to pay any expenses of the organization? A. Before this business was all over, before the election, I was asked, but of course I had no money to pay it.

Q. To whom did you turn the bills over to be paid?

Objected to. Question withdrawn.

Q. You didn't hire the premises? A. No, sir.

Q. Do you know who did?

Objected to. Objection overruled, the chairman stating that the testimony will be stricken out unless connected. Exception taken.

A. The premises was Mr. Allen's and Mr. Jasper's; they are the vice-president and the treasurer; it was their premises we had, 551 Vanderbilt avenue.

Q. How much money was in the treasury?

Objected to as before. Same ruling and exception.

A. There wasn't any in there to my knowledge.

Q. Who paid the expenses of the officers of this club for the work they performed? A. Not anybody to my knowledge; I was one of the officers and I got six dollars for my work from Mr. O'Connell; that is all I received.

Q. But you don't know what the others received? A. No, sir; I do not.

Q. Tell this committee just what your labor was, beside what you have already told us?

Objected to as already testified.

A. There was nothing in addition to what I have testified on my part that I know of.

Q. You remember election day? A. I do, sir.

Q. Give us the names of any persons, if there were any, who voted on the names of other persons, who were registered as voters; any district in this Assembly district? A. I don't know of but one, only one; William Henry Johnson is the only one I know of that voted irregularly, and that was about five minutes before the polls closed; from seven to five minutes before the polls were closed.

Q. Were you asked to vote upon anybody else's name? A. I was at one time.

Q. And you wouldn't do it? A. I would not, sir.

Q. By whom were you requested to vote on somebody else's name? A. By a man by the name of Bob Gray; I think some called him Dennis Gallagher; those two names is mixed up, somehow.

Q. Is he the same man who took you in to drink and asked no questions? A. That is the gentleman and Mr. McCabe.

Q. They seemed to take charge of the situation? A. Yes, sir.

Q. This request was made to you and to others in the headquarters? A. Yes, sir.

Q. And how many persons accepted that invitation to vote on other names? A. To my knowledge only one.

Q. What was his name? A. William Henry Jackson.

Q. And all the others declined? A. I don't know whether they did or not; I didn't hear but just that one.

Q. But the request was made to all of them that they should vote on another man's name? A. Not to my knowledge, sir; I can't say.

Q. At the time the request was made by you there were how many persons in the room? A. Quite a number of them.

Q. About how many? A. Well, I should judge the room would hold about fifty men; I guess there were from twenty-three to twenty-five men in there at that time; it was pretty full; it was a small room.

Q. Wasn't that request made to all of these men? A. I don't know, sir, whether it was at that time, as I didn't hear it.

Q. Did this Gray or Gallagher go from one person to another and speak to them? A. I don't know, sir; I know he come up to me and he says, "Go and vote this ticket;" and I says,

"What?" and he says, "Go and vote this;" and I says, "I voted;" and he says, "That is all right;" and I says, "No, it isn't;" and he said, "Wait a minute," and went over to this little fellow Jackson: and he came back to me and said, "That is all right," and Jackson and I walked out of the door; and Jackson had a name of the party he was going to impersonate, and I went as far as the door, and I wheeled him off back to the other door: and he was about five minutes, and he come out again and slapped me on the shoulder and says, "It is all right;" and I says, "All right, suit yourself;" and that is all I see and that is all I know of.

Q. You left this Gray behind you? A. Oh, yes; he didn't go out to my knowledge.

Cross-examination by Mr. Hughes:

Q. How long was it before election that this club was organized? A. Somewhere about two or three weeks, sir.

Q. It was before the nomination was made, was it not? A. Yes, sir; I think so.

Q. And the members of all the different clubs of the Ninth ward used to go to this Democratic headquarters? A. I guess so.

Q. This man Mingo that was on the stand was a member of that club? A. He was.

Q. Did the members of that club go in the parade of the Ninth Ward Association? A. Not all of them; there wasn't but very few.

Q. About how many of them? A. I should judge about seven.

Q. And some of the members of the club worked at the polls on election day? A. Not to my knowledge; I don't know.

Q. Are you positive of that? A. Yes, sir, I am quite positive.

Q. You went back and forth? A. I did, but I wasn't stationed anywhere.

Q. And other people went back and forth to the headquarters; colored men? A. I don't know about that.

Q. There was a number of white men went both back and forth, and also colored men? A. Yes, sir.

Q. On the night of election day there was about four times as many white men around the headquarters as there were colored men, weren't there? A. I don't know; I doubt that.

Q. You heard Mr. Mingo's testimony? A. I did.

Q. You heard him say there were 200 people around there? A. Probably there were.

Q. Waiting for returns? A. There might be; yes, sir.

Q. And they were in and out of those headquartere all the time? A. There were quite a number in there.

Q. And it was pretty well packed? A. Oh, yes, off and on.

Q. And it hasn't been unusual at any time for clubs to organize that you have been connected with, and having their rent paid and so on? A. No, sir.

Q. And you have been in Republican organizations, too, have you not? A. I have, sir.

Q. And up to the last couple of years you were always an active member of the Republican organizations? A. No, sir.

Q. Haven't you ever been secretary of the Republican organizations? A. No, sir.

Q. You have been connected with them, have you not? A. Yes, sir, but I never was an officer.

Q. You didn't contribute to the expenses when you were a member of the Republican organizations, to collect the rent, did you. A. No, sir.

Q. It is generally paid by the party, is it not? A. I guess so.

Q. You gave the names of these different colored men who were to form the club to the secretary of the Ninth Ward Association, did you not? A. Yes, sir.

Q. How many organizations were there altogether in the Ninth ward; do you know? A. I do not; I couldn't say.

Q. There were a large number? A. I guess so.

Q. You judge so from the parade they had? A. Yes, sir; there must have been.

Q. And the same rule was adopted in all organizations? A. As I understand; yes, sir.

Q. And that is the man you gave the names to and it wasn't Mr. O'Connell? A. I gave the names to Mr. McCabe, the secretary.

Q. And he was secretary of the Ninth Ward Association? A. He was secretary, as I understand.

Q. You didn't give them to Mr. O'Connell? A. No; he wasn't there; if he had been I would have done so.

Q. And that is the man to whom the names of other organizations was given to? A. I couldn't say as to that.

Q. Were you there at the headquarters of the Ninth ward when the Assembly nomination was made? A. No, sir.

Q. You didn't see him there that evening? A. No, sir.

Q. It wasn't unusual for candidates to take persons there for refreshments, was it?

Objected to.

Q. Isn't that the fact? A. That is what I understand.

Q. To this place opposite the Ninth ward headquarters? A. It is about a block away.

Q. On the opposite side of the street? A. Yes, sir.

Q. It is a large place there? A. Yes, sir; Bergen street and Vanderbilt avenue.

Q. And that wasn't the only time that you got refreshments there without paying for it? A. No, sir.

Q. And several other people got refreshments there without paying for it when you were there? A. Yes, sir.

Q. White as well as colored? Yes, sir.

Q. Mr. Elliott asked you if the club held a meeting after election? A. Yes, sir; he did.

Q. The club did hold a meeting after election? A. Not my club didn't.

Q. But your club was got up during election? A. Yes, sir.

Q. And you have joined clubs of a similar nature before for both sides? A. I have, sir.

Q. And it is the usual thing to break up after election? A. Generally so, as far as I know.

Redirect examination by Mr. Elliott:

Q. You were asked by Mr. Hughes whether you furnished the list of names to the secretaries of the Democratic Association? A. Yes, sir.

Q. But you made your arrangements to furnish them to Mr. Daniel O'Connell? A. Yes, sir, and he told me to bring it to him; he told us to do that work; I did that, and as he wasn't there I gave them to his secretary as instructed by Mr. President, Mr. Driver.

Q. And you received six dollars? A. I received six dollars for doing the work.

By Mr. Hughes:

Q. What was that association called? A. Richard Driver's Colored Democratic Association of the Ninth ward.

Joshua P. Lee, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. 603 Dean street, Brooklyn.

Q. How long have you lived in Brooklyn? A. Between nineteen and twenty years.

Q. Where did you vote at the last election? A. Fourth district, Ninth ward.

Q. Did you know of this organization that has just been testified to, that was in the Ninth ward, of colored men? A. I know of it; yes, sir.

Q. Did you know of its formation? A. I know about the time it was formed.

Q. Do you know anything about its transactions during the political canvass last year? A. No, sir.

Q. Were you at the polling place where you voted during election day? A. Part of the time.

Q. What part of the time? A. In the morning; I was there three or four times during the day.

Q. And were you at other polling districts in the ward? A. The Third.

Q. How long were you there? A. Three or four times and perhaps half an hour or longer.

Q. You have voted under the new ballot law, have you? A. Yes, sir.

Q. And you are familiar as a voter with your rights as a voter? A. Yes, sir.

Q. Did you see any irregularities committed at either of these districts you visited on election day? A. I did.

Q. Will you state briefly to the committee what they were? A. The first thing in the morning, about 8 o'clock or thereabouts, a man came in and voted upon the name of Cato Jackson, a next-door neighbor of mine, and I said at the time that that wasn't Cato Jackson, and someone on the sidewalk said, "Shut up your mouth;" and I remained until the party came out, and when he

come out I saw it wasn't Cato Jackson; and then I went home and got my breakfast and left the place for about an hour and a half, an hour perhaps; then, after I got my breakfast, I went to the Third district, where I saw a man by the name of Jemmison coming from the Seventh ward; he went into the Third district, and whether he voted or not I am not able to swear.

Q. State what you saw him do? A. I saw him go into the polling place, and he come out of the polling place and came down towards Vanderbilt avenue and stopped and spoke to Mr. Kane, Thomas Kane; and from there he went on up towards the Democratic headquarters in Vanderbilt avenue, near St. Mark's, or he said he was going there; he didn't tell me that, but he told some others.

Q. In your presence? A. So I heard it; and upon that I got the registry list and investigated it; or rather before that, on Sunday night, my attention was called to the fact that there was a number of men coming from the Twentieth ward and had registered in the Ninth, was coming to vote, and some of the names were mentioned that I knew; after the close of the service in the church I went to the Twentieth ward and visited the residence of some of the parties who had been represented to me that had registered in the Ninth ward, but I only found one, and I asked him was it a fact that he had registered in the Ninth ward, and he told me it was; [I says, "How come you to do such a thing?" he said that Richard Driver came to him and got him to go and put his name in there to vote; that he would receive five dollars for doing so].

The part of the answer in brackets is objected to as irrelevant and motion made to strike it out. Motion denied for the present, the chairman stating that the testimony will be received subject to being stricken out if not connected.

A. (Continued.) I asked this man if it was a fact that he had registered there, and he said it was; and I asked him how he came to do it, and he said he was to have five dollars for so doing; says I, "Do you know what you have done?" I said, "you have made yourself a candidate for State prison, and if you go in that ward and vote, and I know it, I will not protect you," and I said, "You are motherless and fatherless, and don't you go near the polls that day;" and he said, "Why?" and I told

him and he said he wouldn't go; upon further investigation I found a man by the name of Lucas had also registered in the Ninth ward; his proper name was McKinley Lucas, but he registered as Smith Lucas.

Q. Did you notice any other irregularities in either of these districts that you can now recall? A. I know a man by the name of Freeman, who registered in the Ninth ward, but under what name I couldn't ascertain, only from information that I received and his own assertion.

Q. Were you present in court when Mr. Jones was testifying? A. I was.

Q. Did you hear the names that he called out as being persons who were members of this Driver Association? A. I know some of these names, excepting Will Evans; I didn't hear him name his name.

Q. Did you see these men, or any of them, vote at either of these districts on election day? A. No, sir.

Q. Did you see any of them there? A. I did; I was there around the election district during the day.

Q. Do you know whether or not they had voted before you got there? A. That I couldn't say, only what they said.

Q. Did you pass up to the Democratic headquarters on Vanderbilt avenue the night of election after the election had ceased? A. No, sir; I didn't go any nearer than Bergen street; that is the nearest.

Q. Were you there at all election day? A. No, sir; I wasn't there at any time; I wasn't at the Democratic headquarters at any time.

Q. Did you see the men who lived either in the Third or Fourth election district on election day go in the direction of the Democratic headquarters after voting? A. Yes, sir; saw them coming there in bodies of three or four and going to different polling-places; then in the afternoon; I was employed at that time as night-watchman in the post-office, and I had a certain hour of the day to sleep, and in the afternoon I laid down to take a sleep, and about 4 o'clock there came a man by the name of Jim Smith and Richard Driver after a man by the name of Henry Williams, who lived next door below me;

I lived 603, and he lived 601 up stairs on the top floor; he was a young man; it was his first vote and they had been after him several times to come up and vote, and he would get five dollars for it, but they wanted him to vote the Democratic ticket, and he said he wouldn't do it; he wouldn't vote the Democratic ticket under any circumstances and he wouldn't go out; he kept himself shut up all day; he wouldn't go unless I went with him; so the last time they came he came and waked me up and I went out and asked what the trouble was, and they said, "This man hasn't voted and he wants to vote," and I said, "That is his own choice and he can do as he pleases; if he wants to go I will go with him;" "Well," they said, "he wants to go up and put in a straight Democratic ticket," and I says, "He can put in whatever ticket he chooses; it isn't my right to dictate;" so they left him and I went with Mr. Williams to the Fourth district, and he said that he didn't understand just exactly how to fold those ballots and the difference in the ballots; says I, "There's a paster that is used in case a man don't know just what ballot to use; if that paster suits him he can use that paster instead of the ballot;" he says, "Give me that paster;" I says, "I haven't it, but I will get it for you from some of the men at the polls;" I went where the poll should have been and that was torn down, but I looked for the man that had the paster which he wished, that is the Republican paster, and I couldn't find the men at that time, and I went up to Bergen street to see whether or not I could get hold of one of the men that had the paster; during that time Mr. Thomas Farrell, I think it is, anybow it is Farrell, he got a hold of this man —

By Mr. Hughes:

Q. Did you see him get a hold of him? A. Yes, sir; took him into the booth and while in there he got his tickets and this man Williams went into the booth, and he came out and asked for instructions how to fold his ballot, and Mr. Farrell stood right up and folded the ballots right in front of the ballot-box, and folded the ballots and handed him the one he was to vote and told him to vote that one, and the ballots were received and placed into the ballot-box, and he was the last man that voted from that district.

Q. Was there any other irregularity that you witnessed at either of these places? A. That is all that I witnessed.

Q. Do you know of any others? A. Not personally.

No cross-examination.

Adjourned to 2 o'clock.

Rollin A. Breckenridge, called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. You are a practicing lawyer in this city? A. I am.

Q. And your office is 26 Court street? A. It is.

Q. And you are associated with Mr. George F. Elliott? A. I am.

Q. And you reside where? A. 583 Bergen street, Brooklyn.

Q. And you voted at what election district and ward last election? A. Fourth election district, Ninth ward.

Q. And were you there in any capacity, either as watcher or other election officer? A. I was a watcher in that district.

Q. Were you at the polls during the entire day? A. With the exception of about ten minutes just after the polls opened in the morning.

Q. And with that exception you were there up to what time? A. Up to the time they closed, a little before 5 o'clock.

Q. Did you remain during the canvass? A. I did; I was a canvasser.

Q. From the time you attended that poll until you left did you see any irregularities committed at that district? A. I did.

Q. Will you state briefly and in your own way what they were? Q. The chairman of the board of inspectors in administering challenges used his own form of oath, and that was something in substance like this: You solemnly swear that your eyesight is defective and you want so-and-so to assist you? "I do;" Mr. So-and-So rendered the assistance desired, which consisted in preparing the ballot and entering the booth with the voter.

Q. In every instance of that character was it or not that the chairman said, "And you want someone to assist you?" A. It wasn't so in every instance, but it was in a great many; the others in the polling-place, when a person presented himself to receive ballots and appeared doubtful what to do, would ask,

"Don't you want me to help you?" Jack, or John, or whatever his first name might be, and in many cases the voter said he did and was assisted; of all those who were assisted, from personal observation at the time, and cast their ballots, there were two who really needed assistance; the others could see as well as I can; I didn't need assistance.

Q. As far as your observation goes? A. I have stated on observation made at that time; there were a number of persons presented themselves to vote challenged; I believe I challenged twelve during the day; some because they didn't live in the district, and some because they didn't live at the numbers given in the registration book, and some because the names had been already voted upon, and the others because of the manner in which the oath was administered, the oath as to eyesight, the disability oath.

Q. So far as your memory now serves you, how many persons were there who claimed assistance upon the ground of physical disability? A. I believe there were at least forty, possibly fifty, assisted during the day on the ground of physical disability, either eyesight or paralysis or something; one instance of voters being assisted was called paralysis, paralysis of the hands, and the person assisting him received the ballots and proceeded to the booth with him; of course I don't know what he did in the booth, but he had the ballots when they came and presented them to the officer; the person assisting presented the ballots, and the voter, as far as I could see, never touched the ballots; after the ballots were deposited the man left the polling place, and I was stationed at the door and saw him clap his hands and say, "Wasn't that done nicely?" after leaving the polling place.

Q. It was temporary paralysis? A. I judge so.

Q. Now, is it not a fact that all the persons you challenged, so far as you now know, cast their vote? A. They all cast their ballot; yes, sir, every one of them.

Q. And did these people who claimed physical disability or eyesight or paralysis, other than that you have mentioned, come into the polling place assisted by crutch or cane or other aids? A. They did not; no, sir; one or two may have had canes, but not to use them as crutches or for assistance.

Q. More ornamental than useful? A. Entirely ornamental.

Q. Do you know of any other irregularity other than what you have testified to happening at that polling place on election day, or persons who appeared there to vote and found their names had already been voted upon? A. There were three names that were voted on twice; Cato Jackson was one, Andrew Van Blarcon another, I think, John W. Osterburg the other; in the case of Cato Jackson the person representing himself as Cato Jackson appeared early in the morning and voted; he was a negro, and during the middle of the afternoon the same person appeared and voted again on the same name; the other two names were voted upon by different persons; I can't say whether any of the persons that voted were actually the persons whose names were used except in the case of Cato Jackson.

Q. But you know that the names were voted on twice? A. I do; during the canvass the ballots upon being counted were found to be one short of the number of ballots cast according to the poll list; the canvassers counted them over and over again and were unable to find the missing ballot; afterwards when we opened the ballots we found the missing ballot and the count appeared all right, but proceeding further we observed that two ballots were voted together; shall I state what those ballots were?

Q. Oh, no; were they counted? A. One was counted and the other was not; we returned the ballots to the ballot-box, and the chairman, with his back to the box, withdrew one ballot and destroyed it; then the total number of ballots agreed with the poll-list.

Q. Did you look at both of the ballots? A. We did not; no, sir, look at either of them.

Q. Did you look at the one that was counted? A. Necessarily so, but not to identify it; as a canvasser I had to see it.

Q. Then you did see it? A. I did.

Q. Then what was it; was it Democratic or Republican. A. I can't state that from the fact that I saw it.

Q. Did it have Mr. Kneeland's name or Mr. Hughes' name on it; is it not a fact that the ballot that was subsequently taken out of the ballot-box after the other was destroyed, was the ballot which you saw? A. I saw it; yes, sir.

Q. You read the names upon it? A. I did.

Q. You know what the names were; don't you? A. I do, yes.

Q. I ask you was it a Republican or Democratic ballot? A. It was a Democratic ballot.

Q. The ballot as counted by you, as the exact language upon the stenographer's minutes as she has read it shows, was the ballot you examined to see whether it was correct or not in your duty as a canvasser? A. It was.

A. And that ballot that you counted and looked at, was it the Republican or Democratic, the one that you counted? A. It was the Democratic ballot.

Cross-examination by Mr. Hughes:

Q. As I understand you to say, when they first counted the ballots before opening them, there was two ballots together? A. No; I didn't so state.

Q. How did you discover that the two ballots were folded together? A. Upon opening them.

Q. After they were opened and counted in full there was found to be one too many? A. That is correct.

Q. They were all put back in the box again? A. They were.

Q. Then one was taken out, wasn't it? A. It was.

Q. Did you see that ballot that was taken out? A. I saw it destroyed; no one saw it to know what was on it.

Q. No one saw it to know what was on the face of that ballot; neither you nor your colleagues knew what was on the face of that ballot? A. We all knew.

Q. When did you see the face of that ballot? A. When counting the name at the head of the ticket; we had before discovered that there was one ballot too many; in keeping our tally we had gone through all the ballots for all the tickets as far as the candidate for Secretary of State was concerned, and we tallied one too many; we then put the ballots all in the box and one was drawn out; upon counting the ballots again the tally showed that the ballot destroyed was a Democratic ballot; that is the only way I know what was on that ballot.

Q. So by the destruction of that ballot I really lost one vote, didn't I; isn't that the size of it? A. That is just right.

Q. You are an associate with Mr. Elliott in this case, and have been from the start, haven't you? A. As an associate in the office, I have.

Q. Haven't you been over in the county canvass taking charge of this particular case with Mr. Elliott? A. With a number of other cases I have, yes.

Q. Didn't you take particular charge of this assembly district for Mr. Elliott? A. Yes.

Q. And Mr. Kneeland's case in particular? A. Not in particular.

Q. You were going along with the canvass for Mr. Kneeland? A. I tried to; I had four assembly districts and one senatorial district.

Q. Didn't you tell me the result over there before I knew it myself? A. No, sir.

Q. Didn't you tell me I had eighty-seven majority over there, and I thought it was sixty-seven? A. I may have told you that my figures showed you had eighty-seven pluralities.

Q. And didn't I tell you I thought it was sixty seven. A. I don't remember that.

Q. You were over there and worked in that case all along? A. I have.

Q. And suggested in the case here while it has been going on? A. I can't say that.

Q. Haven't you made suggestions? A. I have made known to counsel the contents of various affidavits.

Q. I am speaking about while the investigation was going on before the committee? A. I have not; the contestant has done that.

Q. Can you repeat the form of the oath, word for word, that was given by the election inspector on that day? A. Word for word; no, sir, I can not.

Q. He administered some oath and you can't repeat it word for word? A. He administered oaths in two or three different forms, in substance as I have stated on direct examination.

Q. But it was in two or three different forms he gave the oath? A. It was.

Q. Can you tell me what the regular form of the oath is? A. Repeat it?

Q. Yes? A. No, sir, I can not.

Q, Did you know the names of any of those people personally who came there and stated they were physically unable to prepare their ballot on that day? A. I know one personally; the others I do not.

Q. Who is the one you know personally? A. David Kaercher.

Q. Do you know who assisted him? A. I do not; no, sir.

Q. You have heard the testimony of the gentleman here to-day who was a poll clerk in that district? A. I heard part of it.

Q. You heard him testify that he put down the names of all who swore their oaths in that district? A. I did not; no, sir.

Q. And you have testified that there was about twenty-five or thirty, as I understand, that swore in their votes; is that so? A. I testified that there were at least forty and probably fifty assisted.

Q. Didn't you testify that there was a number who took the disability oath, twenty-five or thirty? A. I made use of no such number; I said I challenged twelve.

Q. Sometimes the election officer assisted them in showing them how to fold their ballots? A. The ballot clerk did possibly.

Q. Didn't you? A. I did not; no, sir.

Q. Did the Democratic watcher? A. No, sir.

Q. Did the other Republican watcher tell anybody? A. There was no other Republican watcher.

Q. Didn't you know that anybody that was in that booth at that time had a right to show people how the ballots should be folded or tell them how? A. In the polling-place?

Q. Yes? A. No, sir.

Q. You don't believe that anybody but the register and inspector of election has a right to show anybody? A. I don't know that the election officers have a right to show them how to fold the ballot.

Q. You don't believe they have? A. I don't know that they have.

Q. And you speak of a number of people, outside of persons who swore in their votes, as being assisted in several ways, is that it, by showing how the ballots should be folded, or instructing them, or something of that kind? A. I don't understand.

Q. Do you know what assistance they got, outside of those who swore in their votes? A. I do not; no.

Q. Can you tell me now the names of any persons that voted there that were assisted; can you swear now positively that they were not physically disabled from voting, from your previous knowledge of it, or your subsequent knowledge of it? A. I can't swear that some that were assisted were not physically disabled.

Q. Did you make any examination of their eyes outside of your ordinary observation, seeing them going in and out of the place? A. No, I did not.

Q. As I understand it, the poll-list of that district shows about fourteen or fifteen that were assisted at that time? A. I don't know as to that; the poll-clerks did not at first record.

Q. Can you tell me the names of those who voted twice; do you know the names? A. John W. Osterberg is the name that was voted on twice.

Q. His name was voted on in the morning; did you make a memorandum of that? A. Of the time of day I did not, no.

Q. Did you make a memorandum of the name? A. Yes, sir.

Q. And subsequently the same name was voted on? A. I won't say in the afternoon; at some other time during the day.

Q. Tell me the other name? A. Cato Jackson.

Q. The election officers accepted the vote when it came in the second time, did they? A. They did after challenge.

Q. And what was the name of the third man? A. I think it was Andrew Von Blarcon; no, I am mistaken in saying that Andrew Von Blarcon voted twice; Andrews, Jackson and Osterberg were the three who voted twice.

Mr. Kneeland:

I read in evidence from the poll-list of the Fourth district of the Ninth ward, taken from the county clerk's office, the following: "607 Dean street, between 8 and 9 o'clock, Edward Andrews, age 23, votes No. 67." Again I read from the same poll-list, with the statement beforehand that it was challenged and the oath taken: "607 Dean street, Edward Andrews, age 23, votes No. 150." Again I read from the same poll-list the following: "607 Dean street, Cato Jackson, age 29, votes No. 178." I find on the same poll-list: "607 Dean street, Cato Jackson, age 29, votes 264." I will now read in evidence from the Fourteenth

district of the Twenty-second ward, showing that these Italians that voted twice in the Ninth ward voted first earlier in the day in the Twenty-second ward.

Mr. Hughes objects to reading the poll-list of a ward not in the Assembly district.

Mr. Elliott:

The evidence is offered to show that these people when they voted in this Assembly district had already voted before, and that their vote here was fraud.

Objection overruled. Exception taken.

Mr. Kneeland (continuing):

Between 9.38 and 10.38 A. M. Jimmie Trotta voted, as appears by this poll-list, which reads as follows: "160 Seventh street, Jimme Trotta, age 25, votes No. 102. John Fenello, 160 Seventh street, age 28, votes 96." A third vote cast — the vote commenced at 6.38 — was as follows: "160 Seventh street, Nicholas Fenello, age 32, vote No. 3." I find in the Sixteenth district of the Ninth ward that James Trotta voted between 2.38 and 3.38; James Trotta and Rosarri Mille and Peter Borrelo, votes 199 to 201, inclusive. In the Fourteenth district of the Ninth ward Jimmie Trota, No. 208, and Jimmie Mile votes 209, and Peter Berbalbo votes 288 in the hour between 2.38 and 3.38.

Mr. Kneeland states that he has served subpœna upon James Moore and he has not yet appeared.

Bernard McGowan, called on behalf of the contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you reside? A. 1040 Atlantic avenue; I reside in the Eleventh district, Ninth ward.

Q. Where did you work on last election day? A. The Ninth ward.

Q. In what districts? A. Well, I worked in both the Eleventh and Twelfth.

Q. Do you know Mr. Thomas Doherty? A. I do, sir; yes, sir.

Q. Where does he live? A. Mr. Doherty resides at the corner of Grand avenue and Pacific street.

Q. What is his business? A. Liquor dealer.

Q. Do you know how many persons there were who lived in his house? A. The only one I know to live in the house is Mr. Doherty and his widowed sister, who keeps house for him.

Q. Do you know how many persons voted from his house on last election? A. Well, I say there were six besides Mr. Doherty who had registered from there, Mr. Elliott.

Q. Do you know the names of any of them? A. Yes; there was one man named Allen and one man named Dolan and Dummy Moran.

Q. Do you mean by that he can't talk? A. Yes, sir; I do, sir; I understand the English language; we called him dummy anyhow.

Q. Go on? A. Well, there was Allen, Dolan and Moran, and I think a man named McCarty, but I won't positively say it.

Q. You are not certain whether Mr. McCarty was in it? A. I am not positive, but I am pretty near it that he was registered.

Q. That is as far as you can remember now? A. Yes, sir; I can go further, Mr. Chairman; I want a clean breast of this thing; I don't give a damn for either the Republican or Democratic parties, but I want a pure ballot and a fair count, and if we can't have that, the ballot is a fraud, that is all.

Q. You are not quite positive about the number of Doherty's house, but you know the location? A. I know of it, of course, for the last twenty-five or thirty years.

Q. But you are not positive of the number? A. I think it is 956 if I am not mistaken, but it is corner of Pacific and Grand anyhow; I am an Irishman, you know, and I make a laugh anyway.

Q. Do you know of any other irregularities in any other section where these men registered? A. I do not.

Q. At what district did you work? A. Well, now, Mr. Elliott, I have worked at both Eleventh and Twelfth; I was the manager, or leader, or captain, as you may choose to call it, of the Twelfth; I had been promised several votes in the Eleventh, and I run from one to the other to try to catch every vote I could for my party, and I did it like a man.

Q. In running back and forth to carry out this laudable purpose did you notice any irregularities in either of these places, either the Eleventh or Twelfth? A. Well, I did.

Q. Go on and state it to the committee? A. I don't know as it would be of any benefit to either you or the committee or Mr. Kneeland, because I have got nothing positive to adduce.

Q. Won't you tell that to the committee? A. Well, I will leave it to Mr. Keck, the chairman, whether he decides whether I shall explain it or not.

Q. You go on and tell the story and the chairman will pass upon it? A. I have acted irregular myself; that is, if we take the State law, I have acted myself; I have peddled pasters and everything within the limits of the laws of the State, 150 feet.

Q. State what you saw anybody do that was not within the limits of the law? A. Well, I have been in there; I had a hustle and a bustle.

Q. Go on and state what somebody else did? A. Well, somebody else, as far as I am concerned, in relation to workers around the polls, of either one or the other districts, didn't do anything contrary to law more than I did; I will confess like a man; I worked for my party faithfully and truly; every vote I could get by either pledge, promise or lying, I got; if I could lie and get a vote for the Republican ticket, I got it; there you are now; you can do as you damn please, but I want to answer Mr. Elliott; he asked me a question.

Q. But you didn't buy any votes on election day? A. No, sir; I wouldn't give two cents for a vote, and I say the Republican party wouldn't give two cents a hundred; I tell you that.

Q. Then you don't wish to have it implied by anything that you have said that you did anything wrong on election day? A. No; I say I worked within the limits of the State law, and they all done it, all the boys down there; but I didn't have a collar on my neck; that is the only difference.

Cross-examination by Mr. Hughes:

Q. Where do you live? A. I live at 1040, Mr. Hughes, Atlantic; shall I write it down for you?

Q. Where does Mr. Doherty live? A. Pacific and Grand.

Q. You live in Atlantic? A. Yes.

Q. How long have you been living in Atlantic street? A. Well, something about fourteen or fifteen months.

Q. How many years have you been living there? A. I said months; I answered you months, and now you say years; you can't fool me; I am not a lawyer, but you can't fool me all the same.

Q. How many months have you been living there? A. I didn't say years; a little over a year.

Q. Are you a friend of the Dohertys? A. I am not an enemy.

Q. You are not very friendly to him, are you? A. Just as friendly as any man in this town is with me.

Q. Did you and Doherty ever have any trouble? A. Never.

Q. Never in the world? A. Never.

Stillman F. Kneeland, recalled.

By Mr. Elliott:

Q. You were at the police headquarters on the night of election? A. I was there on the day after election.

Q. Did you see the returns that were brought into police headquarters? A. I saw the tabulated returns that were received on the night of the election from the police precinct.

Q. Do you know how those were returned; whether they were received over the wires that were used by the police at headquarters? A. The police headquarters telephone.

Q. Can you give us the votes as recorded in any of the Assembly districts in which you ran? A. I can not.

Q. Can you give the entire vote? A. I couldn't give the entire vote from memory.

Q. Can you give what was the total vote? A. I can give you this: My vote exceeded Mr. Hughes' to the extent of somewhere in the vicinity of 100; that is, there was one district of the Seventh ward missing, and with that district missing I had a slight majority; that district was Republican to the extent of about 100, as I afterwards ascertained.

Q. Then as a matter of fact, all of the districts having been heard from except one, and that being a Republican district, you were recorded there as having a majority of all the votes cast in the district? A. Yes, sir.

Q. And as near as you can recall about a hundred? A. Well, no; I should think with the addition of the Seventh district it was a little over a hundred.

Q. Was Mr. Hughes there at the same time? A. No, sir; not at the time I was; I was accredited by all the newspapers in the State as having received a majority of the votes; and the vote, as received on the night of the election from all the precincts, in the Eagle office, gave me a majority of about sixty-eight.

Q. Is there anything else you desire to say in that connection? A. I will simply say this, that the three what might be termed official statements of the votes, the one filed in the police headquarters and the one filed in the county clerk's office and the one filed in the bureau of elections, all differed; the one that was opened first was in the police headquarters; they gave the election to Mr. Hughes by thirty-eight majority; that was the first one of these three which are supposed to be duplicates; the one next opened was the bureau of elections and that gave it to me by sixty-seven majority; and the next one opened was the one in the county clerk's office, the official report, which gave it to me by eighty-seven, the difference being the twenty votes which have been spoken about; the difference between that and the bureau of elections; I will say that both in the returns filed in the Bureau of Elections and the police headquarters I was given 227 instead of 207 in the Second district of the Eleventh ward. The one counted gave me 207.

Cross-examination by Mr. Hughes:

Q. I think you said all the papers in the city stated the next morning early that you received a majority of votes? A. No; I didn't say so; I said the papers in the State accredited me with the election; the next morning or the next day there were one or two papers in Brooklyn, I think the Citizen, and I think one of the New York papers that day, no doubt had your name in; but after that, the next day after, they all had me in, and I was inundated by letters from all over the State.

Q. And you wrote a letter yourself; you supposed you had received the official vote? A. I congratulated the Eagle on its work; I said as one who fell just inside of the breastworks, and it seems I fell just outside.

Q. Did you see the Eastern District Times? A. The second morning after the election.

Q. The next morning after the election, did you read the Eastern District Times? A. No, I think not.

Q. That is what is designated as a Republican paper? A. Yes, sir.

Q. Didn't you see in that paper that the tabulated figures gave me the exact majority that the police returns gave me the morning after the election? A. No, I guess you are mistaken about that; I don't know as I read it, but the reason why I recollect the matter is that the reporter of that paper and I went over the official returns after they were filed in the police headquarters, and we tabulated it together and agreed together that you had received fifty-seven; and the statement that appeared the next day — it was a day or two after, probably the second day after — the statement that appeared there was my own accounting, and I gave that same statement to the Eagle and the Eagle published that statement from me.

Q. Didn't the Times the next morning give me the majority that the police returns gave me? A. What do you mean by the police returns?

Q. The returns in headquarters? A. The original returns in police headquarters gave you no majority; they gave it to me; the reports received from the different precincts over the wire.

Q. And you have been testifying as to your majority from telephonic communications from over the wire? A. Yes.

Q. And on the next day you examined the returns in police headquarters? A. I think it was the day after.

Q. When the returns were filed? A. Yes, sir; two days after election.

Q. And you say thirty-eight was the majority given on those returns? A. Yes, it was thirty-eight when we allowed for one district that was missing.

Q. Didn't the returns from all the districts in at the time you examined them show that I had fifty-three majority? A. I think not; I figured it thirty-eight.

Q. Didn't you have one of the canvassers from the Fourth election district of the Eleventh ward with you and Mr. Elliott the day afterwards, and he showed you that by the police returns I was entitled to fourteen more votes than the police returns gave me, which made it exactly sixty-seven majority, which corresponded with the other returns? A. I think his information was

as to the number of votes cast, conforming to the vote as it appeared in the bureau of elections.

Q. And that gave me fourteen more votes in that district? A. Yes, sir.

Q. Now that, added to the fifty-three votes which I see the police returns gave me, makes sixty-seven majority on the face of the returns? A. My opinion is the difference was more than fourteen.

Q. Wasn't it exactly fourteen? A. I think not.

Q. On the face of the returns, outside of that twenty votes mistake, there is sixty-seven majority, isn't it. A. Sixty-seven.

Q. Now, the fifty-three votes which I say the returns gave me, the fourteen votes in that district, would make the exact sixty-seven? A. Yes, if that was the amount; all the official returns were in your favor, only they differed.

Q. Both in police headquarters, in the bureau of elections and in the county clerk's office were all in my favor? A. Were in your favor, but they all differed.

Q. Did the bureau of elections and the regular returns, the county clerk's returns, differ except in that twenty votes? A. No.

Q. That was the only place they differed? A. Yes.

Q. And did the police returns differ except in that vote in the Fourth district of the eleventh ward and in that twenty votes difference that I speak about? A. They only differed; the bureau of elections and the police headquarters only differed in regard to the vote of one district of the Eleventh ward; I forget the number.

Q. That is the Fourth district of the Eleventh ward? A. I think that is it.

Q. Where they give you 137 instead of 123? A. That is a difference of fourteen; the difference is twenty-eight.

Q. Isn't it a fact it didn't differ in my vote; it only differed in your vote? A. I think the difference was twenty-eight.

Garnett Geary, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. What is your business? A. I am in the tea business.

Q. Did you act as inspector of any district in the Eleventh ward? A. Yes, sir,; in the Third district of the Eleventh ward.

It is admitted that in the Third district of the Eleventh ward Mr. Kneeland received 213 and Mr. Hughes received 294 votes.

Q. Were you inspector in that district on election day? A. Yes, sir.

Q. You were register also during the registry days prior to that time? A. Yes, sir.

Q. Do you know how that polling place was formed? A. Yes, sir.

Q. Were the booths in that polling place in the same compartment as the offices of election? A. No, sir; they were not.

Q. How were they situated? A. Divided by the partition; just the same as this room.

It is admitted that the polling place was small and the voters had to pass through a sliding door to reach the booths.

Q. And some of the booths were not in sight of the election officers? A. It would be a physical impossibility for them to see all around because the partition was walled up from the floor to the ceiling.

Q. And there was only a small door to get to the booths? A. A small door.

Q. That polling place was on the corner of the street. A. Yes, sir.

Q. What street? A. South Elliott place and Lafayette avenue.

Q. The backs of some of the polling booths were up against what they call the side of South Elliot place? A. I think some of them face on DeKalb avenue and some face towards South Portland avenue, as far as my recollection goes; in fact they were not placed alternately; they were placed around, I presume, with an idea of giving the inspectors of election as much view as possible.

Q. From the Lafayette avenue side there were two booths backing up against the side wall? A. Yes, sir; that is my recollection.

Q. And that is what kind of a store? A. Well, it is used as an office for a livery stable; there is a carriage-room or store-room for harness and for carriages.

Q. And are there large doors on the back of those booths? A. There is a door facing Lafayette avenue which would be an entrance for carriages, I presume, going in and out.

Q. And that door was out of the view of the election officers? A. It wouldn't be possible for the ballot clerks to see the booths where they were situated.

Mr. Elliott claims that no attention has been paid on the part of the contestants as to the form of the election machinery.

The Chairman:

So far as I am concerned I shall not decide any of these cases on technicalities of this sort.

Q. There were a number of people came in there that day and took the physical disability oath in your district? A. There were some, not a great number, but some.

Q. What was the disability complained of? A. I think some were unable to use their arms, or hands rather, and I think some had defective eyesight, owing, I think, a good deal to the dimly lighted room where the booth was situated; I think that was the cause of more or less complaint during the day, and the place was certainly totally unfit for a person unless his eyesight was extraordinarily good to see.

Q. There were some sworn in on account of defective eyesight: were any of those totally blind? A. I don't think there was a totally blind person for the entire day.

Cross-examined by Mr. Elliott:

Q. What per cent of the voters who voted required assistance? A. Well, I should say there might be perhaps one — on a rough estimate there may be one in forty of the voters, or one in thirty: I don't know exactly; I am not familiarwith the number.

Mr. Hughes reads from the registry lists of the Republican districts in the Seventh ward.

Mr. Hughes:

We claim that the registry list of the Thirtieth district of the Seventh ward shows that one Frederick Olkers, 1119 Fulton avenue, took the disability oath and claimed blindness, and was assisted by Frederick Hernz.

In the Thirty-first district of the Seventh ward the chairman has not signed the lapse of each hour in the poll-list.

That Samuel Valentine was assisted by Mr. Warren for blindness.

That Thomas Murphy, 987 Atlantic avenue, was assisted by E. J. Shannon, and no cause of disability was given on the record.

In the Thirty-second district of the Seventh ward George Wright, 921 Atlantic avenue, voted as blind, assisted by Samuel Sewall.

Robert Green, 916 Atlantic avenue, took the general oath; no cause stated.

Seventeenth district, Ninth ward, G. W. Holmes, 183 Berkley place, assisted by J. O. Holmes; cause of disability, paralyzed.

Peter Young, 235 Berkley place; disability, blindness; assisted by P. J. Longley.

Mr. Kneeland:

I would like to ask Mr. Hughes to state whether he reads the entire number assisted according to the records.

Mr. Hughes:

No; I don't guarantee that, but I think so.

Eighteenth district, Ninth ward, Harry Loomis, 47 Seventh avenue, voted as blind; assisted by J. S. Loomis.

Ira Downes, 152 St. John's place, voted as near-sighted; assisted by Donal Downes.

Nineteenth district, Ninth ward. The poll-list does not show when the poll was opened in the district and there are several names with figures placed in the column headed oaths. And the figures 838 precede the name of Fred Partridge, 132 Park place, voted ballot No. 88 before 7:38 A. M.

William G. Dean, of 115 Sixth avenue, claimed to have been unable to fold ballots and was assisted by William H. Quinn.

Twentieth district, Ninth ward, the name of James McGowan, 23 Prospect place, assisted by William G. Lindsay, on account of disability.

Abraham VanKeuren, 192 Flatbush avenue, blind; assisted by F. H. Newcomp.

Twenty-first district, Ninth ward; no ages entered on the poll-list in this district at all.

The name of Leonard Johnston, 19 Fourth avenue, blind; assisted by F. T. Wray; no marks given on the poll-list.

Henry Ericsson, 611 Baltic street, challenged by William Osborn, but no remarks given under column of oath.

Twenty-second district, Ninth ward; no record of oaths kept in the column opposite the names.

John Wiggins, 388 Bergen street, appears to be blind; assisted by George Schneider.

John Duffy, 383 St. Marks avenue, blind; assisted by F. Duffy.

Twenty-third district, Ninth ward; no time mark on the poll-list of the opening and closing of the polls, and no signature of the chairman in the column, and under the head of number of ballots; no marks against the name of George A. Lent, physical disability; assisted by David A. Wood.

Letter G in front of the names Francis J. Peterson, 672 Warren street; John M. Tietjen, 112 Fifth avenue; John Harrigan, 668 Warren street; and Patrick H. Kelly, 674 Warren street, all of whom claimed disability and were assisted by David A. Wood.

Twenty-fifth district, Ninth ward; signature of the chairman is not signed to the lapse of hours, and no number of ballots given out and no number of the voters given.

The name of Charles McCrary, 177 Fourth avenue, voted as Marvin Charles McCrary.

And Peter W. Qualter, 158 Fifth avenue, as Peter Qualter.

Peter Nolan voted as living at 720 DeGraw street, but registered at 712 DeGraw street.

Twenty-sixth district, Ninth ward, Edward Indig, 162 Sixth avenue, claimed defective eyesight. No record of votes taken.

Frank Babcock, age 33, 161 Fifth avenue, disability blindness.

Albert Babcock, age 23, 161 Fifth avenue, claimed defective eyesight.

Jackson R. Carr, 140 Lincoln place, defective eyesight.

M. F. Hawes, 110 Berkley place, claimed to have been paralyzed.

Twenty-fifth district of the Ninth ward shows on the poll-list that Harry J. Russell, of 657 DeGraw street, voted ballot No. 124, and that was destroyed by the Republican captain; and there is no record of challenge or disability of the voters on the poll-list at all, and no copy sent to the board of elections from this district.

Eleventh ward, First district, the signature of the chairman is not placed under the hour, but among the names of voters upon

the poll lists. The following were assisted to vote, but no record of votes is given on the poll-list:

Benjamin Whittaker, 174 Fort Greene place; assisted by Joseph Whittaker for blindness.

William F. Bartholmene, 174 Fort Greene place, disabled, sore hand; assisted by A. G. Coffin.

Louis Aurvell, 657 Atlantic avenue, blind; assisted by William Duryea.

John Kelley, 173 South Elliott place, paralysis of right arm; assisted by J. McNevin.

Second district, Eleventh ward, no record of oaths on poll-list is kept, and the following persons were assisted in voting:

John H. Lynch, 24 Lafayette avenue, defective eyesight; assisted by John G. Barker.

Lynam S. Burnham, 133 Fort Greene place, defective eyesight.

Samuel Coles, 113 Ashland place, illiterate; assisted by Samuel George.

Joseph Hendrickson, 30 Lafayette avenue, defective eyesight; assisted by Henry C. Williams.

Daniel Crans, 818 Lafayette avenue, defective eyesight; assisted by Henry C. Williams.

Frederick M. Smith, 143 Ashland place, physical disability; assisted by Walter Smith.

Third district, Eleventh ward, is where the polling place did not conform with the election law. It shows that the following were assisted on account of disability and blindness:

Charles Haggerty, 52 South Elliott place, nearsighted; assisted by M. D. Lewis.

Patrick O'Dougherty, 76 Lafayette avenue, nearsighted; assisted by Daniel O'Dougherty. No mark in oath column.

Dennis O'Donaghue, 26½ South Elliott place, blind; assisted by M. O'Donaghue. No mark in oath column.

Joseph Gallagher, 22 South Portland place; marked G and challenged in column.

William Hart, 45 South Elliott place, nearsighted; assisted by Daniel O'Dougherty.

John L. George, 89 Lafayette avenue, nearsighted; assisted by Benjamin Lewis.

Samuel Booth, 50 South Portland avenue, unable to use his hands; asssisted by G. Dalton.

Philip McGuire, 73 South Elliott place, nearsighted; assisted by George W. Dalton.

Benjamin Palmer, 31 Fort Greene place, old age; assisted by George W. Palmer.

Richmond E. Robinson, 22 South Portland avenue, *mond* written over *ard*, and the figure 2 in place of zero, in the number as first written; no statement of challenge if there was one.

Frederick Koranahrens, 84 South Elliott place, nearsighted; assisted by John Barrett.

James A. Gordan, 14 South Elliott place; challenged by William H. Johnson.

Fourth district, Eleventh ward, Joseph D. Longbotham, 68 Fort Greene place, poor eyesight; assisted by Joseph J. Aulholm.

August Weidler, 705 Fulton street, eyesight; assisted by William Hughes.

Fifth district, Eleventh ward, Dennis McGlynn, 102 DeKalb avenue; assisted by William Hughes.

Anthony Easton, 596 Fulton street, blind; assisted by E. H. Itgen.

Joseph Linton, 72 Ashland place, blind; assisted by W. H. Flynn.

Tenth district, Eleventh ward, James Douggan, 98 Willoughby street.

I have now read all the names of persons in these districts who were assisted, so far as the poll-list shows that; it is put in for the purpose of throwing out these districts, if the committee decide to throw out any districts. I do not propose to show by whom they were assisted, as to whether they were Democrats or Republicans.

Adjourned to February 2, 1894, at 10 A. M.

HEARINGS BEFORE ASSEMBLY COMMITTEE — KNEELAND VERSUS HUGHES.

February 2, 1894.

Andrew Lewis (colored), called on behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. I live at 194 Myrtle avenue.

Q. Whom do you work for? A. Samuels.

Q. What is the business there? A. Furniture and stoves.

Q. Where did you live in November last around election time? A. Same place.

Q. Where did you vote? A. I voted in the Eleventh ward.

Q. Whereabouts in the Eleventh ward? A. Next door to where I live at in the clothing store.

Q. Who went up to the polls with you to assist you to vote? A. A man in Hudson avenue, a hatter.

Q. Do you know his name? A. I forget his name; Toby or something.

Q. Do you know his politics? A. No, sir.

Q. Is he a Democrat or Republican? A. I can't tell you that; I don't know what he is.

Q. You work for a Democrat, don't you? A. That is what he is, a Democrat; yes, sir.

Q. You can't read, can you? A. No, sir.

Q. And you can't write? A. No, sir.

Q. You have got pretty good eyesight? A. Oh, I can see good.

Q. You can see me? A. Yes, sir; but I couldn't see what was on the paper to make it out.

Q. And you are not lame in your legs? A. No, sir.

Q. You have got good hands? A. Yes, sir.

Q. You mean you couldn't understand what is on the paper? A. That is it.

Q. You can see me? A. Yes, sir.

Q. But you can't read? A. No, sir.

Mr. Magner requests the chairman to instruct this witness not to answer any question that would tend to incriminate him.

The chairman states that when the questions arise they will be disposed of in the proper manner according to his understanding of the law.

Q. You can neither read nor write? A. No, sir.

Q. And you couldn't read nor write on the last election day? A. No, sir.

Q. How many papers did you vote on election day? A. I handed the man two.

Q. And how many was in the other hand?

Not answered.

Q. Did you see the man put two papers in the box? A. I give him two papers.

Q. How many papers did you have in your other hand? A. I don't know, sir.

Q. How many did you have altogether? A. I don't think I had no more than two papers.

Q. You mean altogether? A. Yes, sir.

Q. How many did the man give you as you went in; who took those papers? A. I give them to the man to put in the box.

Q. When you went in this place where you voted somebody gave you some papers? A. He showed me how to fold them up.

Q. How many did he give? A. Two.

Q. Are you sure; didn't he give you five?

Objected to that he doesn't know.

Q. Have you got a pretty good memory? A. I couldn't remember that if I had five.

Q. Then you say that you could only remember two? A. Yes, sir.

Q. What did the man do with the two you gave him, whoever he was; what did he do with them? A. Put them into the box; I give him two papers.

Q. What did he do with them? A. He must have put them into the box.

Q. What did he do with them? A. I suppose he must have put them into the box.

By the Chairman:

Q. Do you know what he did with them? A. That is all I know; he must have put them in the box; I know I gin them to him.

By Mr. Elliott:

Q. Is it or not the fact that you gave them to him and you don't know what he did with them? A. I gave him the tickets and he put them in the box.

Cross-examined by Mr. Magner:

Q. How old are you, Andrew? A. I guess I am about 29.

Q. Where were you born? A. Petersburg, Va.

Q. How long have you been in Brooklyn? A. I have been in Brooklyn about nineteen years.

Q. You have voted before, haven't you? A. Oh, yes.

Q. Every year? A. No, sir; not every year; sometimes.

Q. Did you vote last year; the year before last November? A. No, sir.

Q. Did you vote the year before that? A. Yes, sir; I was living in the Tenth ward then.

Isaac P. Carl (colored), called in behalf of contestant, being duly sworn, testified as follows:

By Mr. Elliott:

Q. Where do you live? A. 609 Dean street.

Q. Do you know Mr. Lee? A. Yes, sir, I am acquainted with him.

Q. You saw him just previous to election? A. I presume I did.

Q. Do you know whether you did or not? A. I think I did; yes, sir; in fact I have saw him before election; yes, sir.

Q. And you had a talk with him before election? A. About once, probably.

Q. Do you recollect where this association of colored members held their meetings in Vanderbilt avenue? A. I heard of an association being in Vanderbilt avenue, but not having visited it, I couldn't say positively.

Q. You know where they met? A. I know where I heard it was.

Q. You know where they met? A. I wouldn't say that; I don't know positively.

Q. Where did you hear they met?

Objected to as calling for hearsay evidence.

Q. Do you or not know where that colored club met? A. I don't know where it was; I heard where it was; but I won't swear to what I hear, but I swear to what I know.

Q. Do you know of any colored club that was held in the Ninth ward previous to, at or after the last election? A. I have heard of there being a colored club in the Ninth ward, but I don't know.

By the Chairman:

Q. You don't know of your own knowledge, you mean? A. No, sir.

Q. Have you passed by that club? A. I couldn't say positively whether I have or not.

Q. Will you say that you did not pass by that club? A. I believe I have passed it.

Q. Did you, or did you not? A. I don't know whether I have or not.

Q. Did you, or did you not? A. I don't know; I may have passed it coming down here.

Q. Did you, or did you not pass by any colored club-house, or club-room, or place where colored voters were congregated in a club, previous to election, or immediately after election? A. I don't know positively as to whether I passed this club or not; I might have.

Q. But you won't say that you did not? A. I won't say I did not.

Q. Now at the place where you believed you passed, didn't you see other colored men congregating? A. No, sir; I don't recollect of seeing any congregate there; only those that lived in the house.

Q. You saw the colored men there? A. I have seen dozens.

A. At any time there or at the Democratic headquarters were you present when some of the Democrats asked men in your presence to vote on other men's names?

Objected to on the ground that it is indefinite. Objection overruled. Exception taken.

A. I never saw anyone or heard anyone offer anyone any money.

The chairman orders the answer stricken out as irresponsive.

Q. (Repeated.) A. No, sir.

Q. Do you remember having a conversation with Mr. Elliott just before this examination commenced? A. I don't know who Mr. Elliott is.

Q. Do you know the gentleman who is now questioning you? A. Are you Mr. Elliott?

Q. I am Mr. Elliott; do you remember having a conversation with me before we met? A. No, sir; I don't recollect ever having seen you.

Q. Do you remember having a conversation with me this very morning in this room? A. I do.

Q. Do you remember saying to me that you did hear other men asked to vote, but you didn't want to interfere or give other men away; that you were a gentleman and did nothing wrong at the last election? A. I didn't say it; I told you I was a gentleman.

Q Didn't I tell you I didn't want you to answer anything but what was true? A. Yes, sir; I recollect your telling me that.

Q. Didn't I say I didn't want you to give anybody away? A. Yes, sir.

Q. And was it after that you said you didn't listen to what they said to you? A. You told me —

Q. No, no; answer the question? A. Well, listen to me —

Q. No, answer the question; wasn't it after that you said that you didn't listen to what they said to them? A. I said so; I didn't listen; that is so.

Q. Didn't you tell me that you didn't listen to what was said to them? A. I say so now; I don't know anything about such business.

By the Chairman:

Q. Did you tell Mr. Elliott this morning that you didn't listen to what those people were saying? A. Yes, sir; I told him so.

By Mr. Elliott:

Q. And didn't you tell me that you didn't want to get them in any trouble? A. I beg your pardon; no, sir.

Q. Where were you standing when these men came up and you say you didn't hear what was said? A. If you want me to tell the truth I will tell you; I haven't seen anyone offer any inducement or money.

Q. You know Mr. Lee, do you? A. Yes, sir.

Q. Tell the committee how long previous to election you met Mr. Lee? A. I met Mr. Lee a number of years ago; knew him when he was a minister.

Q. How long previous to election did you last meet Mr. Lee? A. I met him every morning.

Q. How long previous to last election was the last time you met him? A. I can't tell positively how long it was.

Q. Come as near to it as you can? A. I met him maybe one, two or three or a dozen times.

Q. How many days previous to last election did you meet him? A. Well, there was numberless days before election; I met him so many times I can't say positively how many days.

Q. Did you meet him the day before election? A. I can't say positively.

Q. Will you say whether you did or not? A. I won't say positively.

Q. Did you meet him the second day before election? A. I might and might not.

Q. Did you meet him the third day before election? A. Probably.

Q. And you think you did? A. Yes, sir.

Q. When you did meet him the last day before election what did you say to him? A. I can't remember.

Q. What was given by you to him? A. Nothing.

Q. I read from this paper, "Copy of slip taken from Alexander Allen by Isaac P. Carl;" that is your name, isn't it? A. Yes, sir.

Q. "Written by Daniel O'Connell and given out by him; 584 Bergen street, Frederick F. Smith, age 42, Fifth district;" didn't you in a conversation with Mr. Lee give him a slip upon which was written: "Frederick F. Smith, age 42, Fifth district, residence Bergen street?"

Mr. Magner asks that this witness be instructed that if the fact be that he did do that, that he may refuse to answer the question on the ground that it will incriminate him, and so instructs the witness that in his opinion as a lawer it will incriminate him.

The Chairman:

If the committee have no powers to enforce an answer to a question properly put; if counsel are assuming the prerogative and duty of the committee, of course the examination might as well terminate now and here; if there are are any objections made to that question they are overruled and the witness is directed to answer the question.

Q. Did you, in a conversation with Mr. Lee, give him a slip of paper on the day after election, upon which was written that which I have read to you? A. No, sir.

Q. Did you give Mr. Lee any paper? A. No, sir; I gave Mr. Lee nothing.

Q. Did you talk with Mr. Lee at all the day after election. A. Probably; I can't say.

Q. Did you or not? I might probably.

Q. Did you or not? A. I don't recollect having talked with him; I might have.

Q. Have you been advised by counsel that if you came upon the witness stand, and said you didn't do any of these things, that you couldn't be punished for it? A. I wasn't given any instructions by anybody; I am here partly voluntarily; I came here upon my subpœna; nobody has told me anything; I am here to tell what I know.

Q. You were called before the grand jury, were you not? A. Yes, sir; one grand jury.

Q. After you were called before the grand jury, did you go to the office or place of any Democrat in this city and make an affidavit of any kind? A. I am not supposed to know anything about a gentleman's political views, whether it is Democratic or Republican.

Q. After you were called before the grand jury, and before you testified, did you go to any office in this city and make an affidavit of any kind? A. The only affidavits I have made was before the other jury and here.

Q. Did you go to some office before you testified before the grand jury and after you were subpœnaed? A. Yes, sir; I have been in offices, two or three times.

Q. Whose? A. I object to answering that question.

Mr. Magner objects on the ground that it does not appear whether this visit at that office had any relevancy to this case.

Objection overruled. Exception taken.

The Witness:

I was in three or four offices; have been before and since; yes, sir.

Q. Whose offices? A. I didn't notice the name.

Q. Where was the office? A. I have a few friends around here that have offices, and I go in those places.

By the Chairman:

Q. If you can answer whose offices you went to, answer that question? A. Well, I was in an office sometimes in the Germania.

By Mr. Elliott:

Q. Whose office? A. I didn't notice whose name was on the door; I went to see a gentleman; I won't say whose office it was; I don't know.

Q. Whom did you go to see? A. A friend of mine.

Q. What is his name? A. It hadn't anything to do with this case.

Q. What is the name of the friend you went to see? A. I object to telling you that; there was nothing into it that concerned this case; I don't consider it is any of your business.

The chairman instructs the witness that he must answer the questions as well as he can, fairly and squarely, without discussion or argument.

Q. What is the name of the friend you went to see?

Objected to on the ground that the witness should not be compelled to answer questions as to his private business. Objection overruled. Exception taken.

A. I went to two offices to see a friend of mine.

Q. Whose offices? A. Well, that is in the buildings where the offices were, by the name of Freeman, whom I wished to see, two or three times that I was down at the trial.

Q. That is a friend of yours? A. An acquaintance of mine.

Q. What business is he in? A. I don't know what he does.

Q. Where is his office? A. He has no office; I went to an office; I don't know the name of the man who occupies the office.

By the Chairman:

Q. Do you remember when you were subpœnaed to appear before the grand jury in this city? A. Yes, sir.

Q. Do you remember when you appeared before the grand jury to be sworn? A. Yes, sir.

Q. Between the time that you were subpœnaed and the time that you went before that grand jury did you visit any law office in this city? A. Yes, sir; I did.

Q. Whose? A. I can't say the name.

Q. Where was it? A. Where I went to? One was in the Germania building; of course if I could go there and show you, I could show you.

Q. And the other was where? A. I think it was in Montague street.

Q. Have you seen either of the lawyers in this room, this morning, whom you went to see on either of those occasions? A. No, sir; I don't recollect of having seen them.

Q. And you don't know the names of those? A. No, sir; not at present.

Q. Did you know it at that time? A. I have heard it probably.

Q. When you went to visit the office did you know the names of the lawyers? A. I did; yes, sir; I heard their names.

Q. Did you know the names at that time? A. Yes, sir.

By Mr. Elliott:

Q. Where did you get the name of the lawyer in the Germania building or in Montague street that you went to see? A. I can read and write.

By the Chairman:

Q. Who gave you the names of the lawyers in the Germania building or in Montague street that you went to see? A. No one gave me any names; I walked through these offices to look for a friend.

By Mr. Elliott:

Q. You went through a strange building to look for a friend of yours? A. Yes, sir.

Q. Then you went in the lawyer's office by an accident, did you? A. Out of curiosity to see whether he was there or not.

Q. And the same accident took place in Montague street? A. Yes, sir.

Q. You happened to be in the building and you looked to see whether you had a friend there or not? A. Yes, sir.

Q. Whose office did you go in? A. I don't recollect; I tell you I will find out if I have time.

Q. Who are you going to find out from? A. I shall go back to where I was and try to find it; I can read and write.

Q. Has your attention been called to it before; when you went in these offices, who did you see? A. There was one or two gentlemen around there and a lady; I don't know who she was.

Q. She wasn't introduced to you? A. No, no; a stranger.

Q. Were you introduced to the other two? A. I wasn't introduced to anybody.

Q. Did you speak to anybody? A. Yes, sir; I always do.

Q. Whom did you speak to? A. To the gentleman I saw around there.

Q. What was the name? A. I just told you I didn't know his name.

Q. Did you make any statement about your being before the grand jury? A. Not that I recollect.

Q. Did you make any statement about your being called before the grand jury? A. I told the gentleman I had been before the grand jury, or at least I was to go before the grand jury; I hadn't been there; I was there two or three days and wasn't called.

Q. Did you make any statement there as to what you were going to testify to? A. I have made a statement.

Q. (Repeated.) A. I had a regular conversation.

By the Chairman:

Q. Did you tell him what you were going to tell before the grand jury? A. Oh, no.

Q. Or any part of what you were going to say? A. Oh, no.

By Mr. Elliott:

Q. Did you make any statement about the election? A. I have said, "Well, I am before the grand jury, and I have got something to testify to," and I don't know what; I don't know why I was brought down here.

Q. Who went with you to these offices; who accompanied you from the grand jury to these offices? A. I walked around myself as I came here this morning.

Q. You don't remember who you found in the offices? A. I seen three or four gentlemen there and a lady, and say four gentlemen there.

Q. And you don't know any of them? A. No, sir.

Q. Were you alone? A. I went in their alone.

Q. Did you find anybody else in there of your own color? A. I don't recollect having seen anybody there of my own color.

Q. But you recollect all that were there? A. I will say four or five men, but I don't recollect any colored men there.

Q. You said there were two or three gentlemen and a lady there. A. Yes, sir; maybe four gentlemen.

Q. Were there five? A. I won't say five.

Q. Were any of them colored? A. I don't recollect of there being any of them colored; I am positive four white gentlemen and a lady.

Q. Will you say there were not any of them colored? A. There might have been.

Q. Will you say there were not? A. I am under oath here telling the truth; if I am not responsible I will tell you.

Q. Will you swear positively that neither of those men were colored? A. Out of the four there was none; they were all white.

Q. You swear positively? A. Yes, sir.

Q. Was one of the gentlemen McCabe? A. McCabe hasn't done any business for me.

Q. You know him? A. Certainly; we all live in the one ward.

Q. Do you know Mr. Burns? A. I had no dealings with Mr. Burns.

Q. I am asking you whether a Mr. Burns was one of them? A. He didn't lead me around anywhere; Mr. Burns wasn't in company with me when I was in this office.

Q. Was Mr. Burns at either of these offices; either in the Germania building or in Montague street? A. I don't recollect seeing him there.

Q. Will you say he wasn't there? A. If I saw him I would tell you point blank; suppose he was in the next room?

Q. Did you hear his voice? A. I couldn't tell you about Mr. Burns' voice; I am not very good on recognizing people's voices; faces is what I go by.

Q. You are strong on faces? A. Yes, sir.

By the Chairman:

Q. Did you see him there? A. I don't recollect having seen him; I went to see Mr. Freeman; that it is what I went for.

By Mr. Elliott:

Q. What Freeman is that? A. He is out of the city.

Q. What is his first name? A. John.

Q. Is he a colored man? A. Yes, sir.

Q. Where does he live? A. I don't know where he lives.

Q. Did you know where he lived? A. No; I wouldn't swear where he lived.

Q. Where have you met him? A. Different places.

Q. Tell me where? A. Vanderbilt and Adelphi, Fulton and Adelphi, and Fulton and Clermont.

Q. But he has a home? A. I don't know about that; he must have had a home.

Q. Did you ever visit him? A. Not at his house; no, sir.

Q. Did you ever come in contact with him as a friend or for commercial purposes? A. Just where I happened to meet him; at the barber shop or any where.

Q. Why did you hunt him up? A. I had other business to transact with him; nothing pertaining to this business at all.

Cross-examined by Mr. Magner:

Q. Did you ever see me before? A. I might have.

Q. Did you ever have any conversation with me? A. I don't recollect of having any.

Q. Did you ever see Mr. Hughes before about this case? A. No, sir; I don't know Mr. Hughes.

Q. Did you ever see any man who represented himself as a lawyer in this case in regard to this case for Mr. Hughes? A. I don't remember of meeting any gentleman who is a lawyer in this case.

Q. Did you ever meet anybody who was a representative of Mr. Hughes or Mr. Magner in this case? A. No, sir.

Q. Did you ever know this Mr. Lee that was spoken about to-day? A. I am acquainted with Mr. Lee; yes, sir.

Q. Did Mr. Lee offer you any money to testify a certain way in regard to election matters? A. Yes, sir.

Q. Did he offer you certain money to testify that election frauds took place there at that election? A. Yes, sir.

Q. State what that conversation was? A. He met me one time since election and says he, "They are about to investigate these illegal voters," and I says, "Yes;" it was one day since

election; I don't recollect exactly what day; he says, "We have got everything our way this time," I says, "Yes;" he says, "Don't you know somebody that received a little something up the street here?" and I says, "Where;" he says, "Up around Dan O'Connell's," and I says, "No;" and he says, "Now if you know anything it is worth something to you;" I says, "What do you mean;" he says, "You will be taken care of all right;" I says, I don't want to be bothered with anything like that;" he says, "Oh, get out; you know there was something going on up there;" I says, "No;" I says, "I don't care to be bothered at all or implicated in no such schemes as that;" I think this was within a week that I met him again, coming home, I presume, from his work, and he says, "Say, won't you go down with me?" "Down where?" says I, "Down before the committee;" I says, "What committee?" he says, "Down at the hall;" he says, "I have got to take a sleep, and I will be up in about an hour, and you go down with me and tell what you know; it will be all right; there will be no harm to you;" I says, "No, I have got my work to do; I have something else to do besides fooling around the law;" and he says, "Won't you come down?" and I says, "No;" then I says, afterwards, "I will see you before the day is out;" I didn't intend to see him; I wanted to get rid of him because he bothered me; I didn't see him again probably for a day and a half, but my mother told me he had been in the house, and the next time he met me he says, "You're a nice fellow; I thought you were going to meet me;" "Oh," I says, "I am busy," and he says, "What are you doing?" I says, "I am working; I am doing a little something, and I won't be bothered going down there;" he says, "You won't lose nothing; it is worth something to you; they will make it all right down there;" I says carelessly, "I don't want to be bothered;" I says, "I will see you probably between this and to-morrow sometime;" so he went off again and I saw him once after that; I think he was putting out ashes or doing something for himself, and he didn't have anything to say to me that day; the first thing I know I received a subpœna to come down to the Court of Oyer and Terminer, the People against John Doe, and I was upside down; the People against John Doe — what did I know about John Doe? and I found it said on the subpœna — of course I knew

what it meant — to come down there, so I came down; then that thing was talked about in the court house over there; somebody says, "Don't you recollect giving Mr. Lee this slip?" I said, "I haven't given Mr. Lee any slip;" he says, "You know him?" I says, "Oh, yes;" I don't know who the gentleman was: I can recognize him in the audience here; I had inducements to come down before that investigating committee that was across the street, Mr. Lee encouraging me.

Q. Did he offer you any money? A. Yes, sir; he said it was worth something, worth a hundred dollars to me."

Q. Were you ever offered any money by Mr. Hughes? A. I don't know Mr. Hughes; I have simply heard of Mr. Hughes through my subpœna.

Q. Were you asked by anybody not to testify here or to conceal anything here to-day? A. No, sir.

Q. Or to conceal anything that you knew? A. No, sir; nobody has offered me any money or asked me any such questions as that.

Redirect examination by Mr. Elliott:

Q. You were not at all nervous when our friend Magner was questioning you? A. I am not all nervous anyway.

Q. You said that you never said anything about Mr. Lee offering you any money? A. He said it would be worth a hundred dollars to me; I am not out for the dust; it is principle that I am after.

Q. Let's see if this is principally it; you say you don't know where John Freeman lived? A. No, sir.

Q. Do you know that he was subpœnaed before the grand jury? A. I heard that he was.

Q. Don't you know he has been among the missing ever since? A. Yes, sir.

By the Chairman:

Q. Have you told to any person before you were sworn here this morning that you were offered $100 by Mr. Lee? A. I believe I have; yes, sir.

Q. To whom? A. I can't recollect just at the present.

Q. When did you tell it? A. I have said that over two weeks ago.

Q. To whom? A. I have said it in my house to people visiting in my house.

Q. To people visiting in your house? A. To my mother for one person.

Q. Name any other person you can? A. A party living at the next door.

Q. To whom? A. A party named Grimmage, a woman.

Q. Did you tell it to anybody else? A. No, sir; I don't recollect; hold on, I will tell you straight whether I told anyone else; yes, your Honor, I might.

Q. I didn't ask you whether you might, I said did you? A. I can't recollect anybody else now; I didn't think it would amount to anything.

Q. When did you say you told them, how long ago? A. Oh, about two weeks ago.

Q. Where were you and Mr. Lee when he made that offer to you? A. On the street.

Q. Where? A. From the corner of 609 to the entrance of the yard of 603 Dean street.

Q. When was that? A. Since election; I suppose one or two days, maybe a week after election.

Q. Who was present at that time; anybody beside you and Mr. Lee? A. No, sir.

Joshua T. Lee, recalled.

Mr. Elliott states that his purpose in recalling this witness is to contradict the last witness in his specific statements regarding this witness.

Mr. Magner objects to the witness being recalled for this purpose.

The chairman overrules the objection and directs counsel that his examination shall be limited to questions upon new matter brought out upon cross-examination.

Mr. Magner objects on the further ground that it is going into matters that are collateral to the issue; that the issue is between Mr. Hughes and Mr. Kneeland and their aiders and abettors.

Objection overruled. Exception taken.

By Mr. Elliott:

Q. Have you heard the statement of the last witness? A. I have.

Q. And particularly in reference to the fact that you offered him a bribe of $100 to come down before the committee and give evidence? A. I heard him make that statement; yes, sir.

Q. Is that true or false? A. False.

Q. Did you ever have a meeting at which you offered him $100 or any sum of money whatever? A. I didn't offer him any money; I never had any money to offer him.

Mr. Magner asks the privilege of proving that this witness has bribed other men.

The Chairman:

You have it pro and con now between these two men and we will let it rest here.

Cross-examined by Mr. Magner:

Q. What is your business? A. At that time I was employed in the United States post office.

Q. Do you know David Jemmison? A. Yes, sir; I do.

Q. Did you call on David Jemmison? A. I did.

Q. Did you offer him money?

Objected to. Objection overruled. Exception taken.

Q. How long have you known him? A. About fifteen or sixteen years.

Q. You know him intimately? A. Well, to speak and pass the time.

Q. He is a colored man? A. Yes, sir.

Q. Have you spoken to him since election in regard to being a witness in these election proceedings either here or before the grand jury.

The Chairman:

Make it specific, Mr. Magner.

Q. Did you make any offer of money or benefit to Mr. Jemmison to be a witness in these or other election proceedings? A. No, sir; no offer whatever in any shape or form.

Q. Do you know Alexander Allen? A. Yes, sir.

Q. How long have you known him? A. I have known him off and on for a couple years.

Q. Have you made any offer of emolument or money or benefit to Alexander Allen for the purpose of coming before this

tribunal or before the grand jury or the committee of one hundred to swear in regard to proceedings on election day? A. No, sir? and I never had any talk with Alexander Allen whatever, only when I served him with a subpœna and told him it was to appear before the grand jury.

Q. Do you know Richard Driver? A. Yes, sir.

Q. How long have you known him? A. Two or three years; maybe more.

Q. Have you had any conversation with him wherein you offered him money or benefit or advantage on condition that he would testify before this committee or the grand jury or the committee of one hundred? A. I have had no conversation with Mr. Richard Driver in regard to the election whatever except after the witnesses were subpœnaed before the grand jury; Richard Driver and this Jemmison were outside conducting themselves in a manner and using language unbecoming gentlemen and they threatened to beat me.

Mr. Magner objects to the answer and moves to strike it out if the conversation did not relate to the question of money or advantage.

Q. Did this conversation relate to any offer of money? A. Leaving his threats out, Mr. Driver came to me and said he was told that I had a subpœna for him; said I, "No, I have no subpœna for you; if I had I should serve it;" he says, I am ready to go and testify;" I said," That is all right, but I have no subpœna for you and I am not going to make one for you."

Q. Did you offer him any money? A. No, sir; I offered him and no one else money; I had none to offer.

Contestant rests.

Mr. Magner offers in evidence the record of the conviction after a plea of guilty on the charge of criminal assault upon a woman, of Thomas Trinneer, who was a Republican inspector and a witness for the contestant.

It is stated that the commitment reads guilty of assault in the third degree.

Objected to that there is no evidence here of the good character of this witness.

Decision reserved.

William O'Neil, called in behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. Were you an election officer in the Seventh district of the Eleventh ward? A. Yes, sir.

Q. What was your position there? A. Chairman of the inspectors.

Q. Do you know Thomas Trinneer, who was acting on that day? A. Yes, sir.

Q. He was a Republican watcher? A. Yes, sir.

Q. How long have you known him? A. Ever since I have been born.

Q. Is he the same person that is mentioned in that record of conviction? A. Yes, sir.

Q. Do you remember the condition of the polling booth on that day? A. Yes, sir.

Q. The different booths? A. Yes, sir.

Q. What is the condition of them in reference to the light or darkness? A. On election day the polling place was very small; we had to go to work and light a lamp and put it in one of the booths on several occasions when a man came in to vote; they would make a remark about the place being so dark they couldn't see; so on several occasions one of the gentlemen had to go in and remove the lamp from one booth to another while the gentlemen would be in the voting place.

Q. Did you see Mr. Paff? A. I don't know him at all; I just seen him on election day.

Q. You saw him on election day? A. Yes, sir.

Q. Did he state to any of the election officers that he was a watcher? A. No, sir.

Q. Did he show any certificate? A. No, sir; not that I saw.

Q. Did he claim to be a watcher in your presence at that time? A. He didn't say whether he was or not, but after a little scrimmage around there he said he was a watcher, but he didn't show any papers.

Q. Was any assault committed on him, or any disturbance on that day? A. No, sir, only he prevented the voters from going

in; he was inside the guard-rail and he wouldn't go out for the officer, and I objected to his being in there and told the officer he should go out; he said there was nobody in the place could put him out, and that he should stay there; finally the officer put him out, and he dragged the rail down and dragged one of the voters down, and pulled his coat right off his back in two pieces.

Q. How was he obstructing the voters? A. Well, there was a little scrimmage while a colored voter was there in the morning about where he lived; he was inside of the guard-rail and he was up against one of the booths of one of the doors, and I called the officer to clear the place and put every man out they didn't require to be in there; so according to what I told him he didn't except Mr. Paff, and Mr. Paff said nobody in the place could put him out; so finally the officer told him he would have to go out, and at the same time there was about four or five voters waiting on a line and he grabbed a hold of one of them and wouldn't go out; finally the officer succeeded in putting him out, and as he did he dragged the guard-rail down and tore this man's coat.

Q. What was the condition of Mr. Paff? A. I think he was very much under the influence of liquor.

Q. Do you know him? A. I don't know him at all.

Q. Did you ever see him before? A. I see him occasionally when I pass by his house.

Q. What time did Mr. Paff get there in the morning. A. I think about 9 o'clock.

Q. Did he say anything in your presence as to leaving the polling place for any purpose. A. No, sir.

Q. You were inside the polling place? A. Inside the polling place.

Q. Did Mr. Paff at any time show you or any of the election officers a certificate as a watcher? A. He did not; he never showed me anything.

Cross-examination by Mr. Kneeland:

Q. How old are you? A. Twenty-four years old.

Q. How long have you lived in that district? A. Ever since I have been born.

Q. Are you a Republican or Democrat; were you a Democratic inspector? A. I was a Democratic inspector.

Q. Do you know a man by the name of Henry Lane? A. No.

Q. Do you know the coachman of Dr. Fleet Spier? A. No, sir; I never saw him.

Q. Do you know John Rust? A. No, sir.

Q. Never knew him? A. No, sir.

Q. Do you know Van Doran? A. Not to talk to him; I just know him if I see him; I know his name is Van Doran; that is all I know.

Q. James Van Doran? A. I don't know what his first name is.

Q. What is his business? A. I don't know.

Q. How long have you known him? A. I don't know him at all only when he is passing people say he is Van Doran; that is all I know.

Q. He voted there didn't he? A. I couldn't exactly tell you now.

Q. You don't know him well enough to know whether he voted there? A. I don't recollect.

Q. How often have you seen him? A. It is very seldom I ever saw him.

Q. Is he a blind man? A. I don't know whether he is or not.

Q. Do you mean to say that you know him when you see him, when you meet him in the street, and don't know whether he is a blind man or not? A. I never talked to him in my life; I never paid the man the time of day in my life; I heard people say that is Van Doran; it is very lately I come to know him; there was some scrimmage around Willoughby street and they said Van Doran was looking after the other man.

Q. Of course if he was looking after another fellow he could see, couldn't he? A. I never paid no attention to him.

Q. Do you mean to say you can't tell whether he was a blind man or not? A. I think he can see; whether he is nearsighted or not, I don't know.

Q. Don't you know that he can see; don't you know he is not a blind man? A. I know he ain't blind; the man I saw isn't blind totally; whether he is nearsighted or not, I don't know.

Q. Do you know Pietro Fusio? A. No, sir.

Q. Never heard of him? A. No, sir.

Q. He keeps a grocery store in Navy street; don't you know him? A. No, sir.

Q. Do you know James McGowan? A. No, sir.

Q. Never heard of him? A. No, sir.

Q. How many years have you been inspector in that district? A. That is the first year I have been inspector.

Q. Do you know Cornelius Gallagher? A. Yes, sir.

Q. What is his business? A. I don't know, sir.

Q. How long have you known him? A. I lived in a house for a couple of years with him one time; I don't know exactly what his business is.

Q. He voted at that election? A. I think he did; I am not sure; I ain't positive.

Q. Is he a blind man? A. I don't think he can see very good.

Q. Is he a blind man? A. He is not totally blind; no, sir; but I think he is nearsighted.

Q. Do you know Michael Egan, who works in a pipe house? A. Yes, sir; I know Mr. Egan.

Q. He works in a pipe yard there, doesn't he, for the city? A. I think he does; I don't know whether it is a pipe yard.

Q. How long have you known him? A. I guess about ten years.

Q. Is he a blind man? A. No, he isn't blind.

Q. Don't you know he swore on that day he was blind? A. I do not.

Q. Did he swear on that day he was blind? A. I don't recollect.

Q. Did anyone swear on that day in that district that they were blind? A. I don't recollect any of the gentlemen swearing.

Q. What oath did you put to people who asked to be assisted on account of their eyesight? A. Physical disability.

Q. Just state just as near as you can the oath that you put to these people? A. I tell you I couldn't recollect three words of it, not unless I had the book.

Q. Did you put into this oath any statement as to whether they were actually blind or not? A. When a man come in and wanted to be sworn in, I asked him if he wanted to take the oath of physical disability; and if he said yes, I put the oath to him, and if he answered the questions I put to him, of course he was allowed to vote.

Q. In that oath did you ask them whether they were blind or not; whether he was actually blind or not? A. I think there

was something of that; a clause like that into it; I am not positive.

Q. Do you know of anyone in that district who voted on that election day that was actually and positively blind; I mean do you know the individual, that you can give me the name of the individual? A. I don't know of any.

Q. You can't give me any name? A. No.

Q. Do you know Jacob Colby? A. No, sir.

Q. Never heard of him? A. No, sir.

Q. Do you know John Rolley? A. No, sir.

Q. You know Robert Randall? A. No, sir.

Q. Never heard of him? A. No, sir.

Q. Do you know Owen Corrigan? A. Yes, sir.

Q. How long have you known him? A. I guess about eight years.

Q. What is his business? A. I think he is a laborer; I ain't positive.

Q. Is he a blind man? A. He is not blind.

Q. Do you know Charles Patteo, a shoemaker? A. No, sir.

Q. Do you know James Judge? A. Yes, sir.

Q. Do you know Thomas McGuire? A. No, sir.

Q. Do you know Patrick Haggerty? A. I know one Haggerty; I don't know whether it is the one you have reference to or not.

Q. I mean the one that is a night watchman? A. The one I mean is in a stable.

Q. You remember the Haggerty that voted there assisted, don't you? A. There is only one Haggerty that I know of, and he worked up in Ashland place in a stable.

Q. Was that Haggerty a blind man? A. He is not totally blind, but he is very nearsighted; I have seen him going with a cane on the street.

Q. Do you know James Kelley, an employe of the city? A. Yes, sir.

Redirect examination by Mr. Magner:

Q. Do you know that Cornelius Gallagher had an operation performed on his eyes just previous to election? A. No, I do not.

Q. Is that the Gallagher that works in the hydraulic works? A. He works in some iron place.

Q. Do you know that an accident happened to his eyes just before election? A. Not as I recollect; I remember his coming around with green patches over his eyes; I didn't recollect it at the time.

Q. That is the man you mean? A. That is the man I know of; I lived in the house with him for years.

Q. Do you know whether this old man named Haggerty that you speak about is feeble and has to be assisted around the street? A. That is the gentleman I have referred to, the gentleman that carries a cane, and he did work in the stables at Ashland place.

Q. And he feels his way with a cane? A. Yes, he goes around with a cane.

Q. Do you know whether a Mr. Egan, whom they have spoken to you about, had his hands smashed? A. Yes, sir; on election day I remember seeing his hand tied in a sling.

Q. Did you hear that his hand was smashed? A. No, sir; I didn't hear that.

Q. He was one of those that they have asked you about? A. Yes, sir.

Recross examination by Mr. Elliott:

Q. Were both tied in a sling, or only one? A. I believe it was his right hand; I am not positive.

Q. But what the condition of that hand was under the sling you have no idea? A. No, sir; I didn't ask him to show it to me.

Q. Did that accident to Cornelius Gallagher injure both eyes? A. I don't know; all I know is he had a cloth over his eyes and I heard him say he met with an accident down where he worked.

By Mr. Magner:

Q. Have you seen him since the accident? A. No, sir.

Q. Do you know that he has cataracts over his eyes? A. No, sir; I do not.

By Mr. Kneeland:

Q. Was it on election day he had the accident? A. I heard of it before election day.

Adjourned for recess.

After Recess.

Adjourned to Wednesday, February 7, 1894, at 9:30 A. M.

MATTER OF HEARINGS BEFORE ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS — KNEELAND AGAINST HUGHES.

February 7, 1894.

It is stipulated that hearing in this case shall proceed on Wednesday, February fourteenth, and that the testimony shall be closed on that day, and that briefs shall be filed with or mailed to the committee not later than Thursday, February fifteenth.

Adjourned to Wednesday, February 14, 1894, at 10 A. M.

MATTER OF HEARINGS BEFORE ASSEMBLY COMMITTEE ON PRIVILEGES AND ELECTIONS — KNEELAND AGAINST HUGHES.

February 14, 1894.

Mr. Hughes offers in evidence the statement of votes in the Ninth ward taken from the official returns.

Objected to. Objection overruled. Statement received and marked Exhibit No. 1, February 14, 1894. It is as follows:

SEVENTH ASSEMBLY DISTRICT, NINTH WARD.

	Palmer.	Meyer.	Kneeland.	Hughes.
First district	112	118	111	119
Second district	158	139	167	129
Third district	73	151	72	152
Fourth district	62	211	62	208
Fifth district	126	168	130	163
Sixth district	155	81	159	75
Seventh district	88	226	88	226
Eighth district	64	151	71	153
Ninth district	56	244	58	242
Tenth district	28	212	27	214
Eleventh district	80	203	91	193
Twelfth district	82	153	84	151
Thirteenth district	63	215	64	215
Fourteenth district	68	195	68	195
Fifteenth district	118	323	124	316
Sixteenth district	37	204	39	202

	Palmer.	Meyer.	Kneeland.	Hughes.
Seventeenth district.....	197	60	201	55
Eighteenth district.....	186	76	186	78
Nineteenth district.....	174	85	180	79
Twentieth district	177	105	171	111
Twenty-first district.....	176	99	174	103
Twenty-second district.....	166	125	168	125
Twenty-third district.....	121	83	121	83
Twenty-fourth district.....	210	86	208	91
Twenty fifth district	136	107	135	108
Twenty-sixth district.....	183	83	190	76
Twenty-seventh district.....	146	146	151	142

Charles J. Lloyd, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. What is your business? A. Watchmaker.

Q. On election day what was your position? A. Poll clerk.

Q. At what district? A. The Fourteenth district of the Eleventh ward.

Q. Is that the district where Judge Hagerty was Democratic watcher? A. Yes, sir.

Q. There have been some statements made that Judge Hagerty went into the booth with several voters; do you know how many voters Judge Hagerty went in with? A. Well, I couldn't say, because I was busy.

Q. I am not asking you for the names of the men he went in with, but do you know how many called upon him to go in? A. Is that the men that were sworn in?

Q. Yes. A. I see two that were sworn in.

Q. Are those two men living or dead now? A. Really I couldn't tell.

Q. Would you know the name of any of those men if I mentioned them? A. I couldn't tell unless I would look at my book.

Q. Do you know Martin Hines—old Martin Hines? A. Yes, I know Martin Hines.

Q. He is dead now, is he? A. He is dead.

Q. How long after election was it he died? A. About three weeks.

Q. What was his condition on election day when he voted? A. Well, he was sickly.

Q. Was there anything the matter with his arms or any portion of his physique? A. Yes, he was kind of nervous and couldn't see very well.

Q. Was that one of the men that Judge Hagerty went in with? A. That was one of them.

Q. You don't know the name of the other man? A. No, I don't.

Q. Did Judge Hagerty enter the booth with any of the voters outside of the voters that swore to the disability act?

Objected to.

Q. How much of the day were you in there? A. I was there all day.

Q. You didn't leave the booth? A. No.

Q. If Judge Hagerty had been in with others who didn't call him into the booth wouldn't you have seen it?

Objected to. Objection sustained.

Q. Were you in a position to see everybody that went into the booth? A. Well, yes; I was in positions to see everybody that went into the booth.

Q. Did you see Judge Haggerty go into the booth with any of the other voters except the two that swore to the disability act? A. Well, whenever a man would come in there we would have to take his address and age and everything; as far as I could see.

The answer is objected to and stricken out upon motion.

By the Chairman:

Q. Did you see Judge Haggerty go in the booth with any others except the two you have mentioned? A. Well, no; I didn't see him go in.

Cross-examined by Mr. Kneeland:

Q. Was this the first time that you were ever poll-clerk? A. No, this is the second time.

Q. Were you poll-clerk there the previous year, the Presidential year? A. Yes, sir.

Q. Did you ever ascertain from anyone the duties of a poll-clerk? A. I got my book and I learned it.

Q. Do not the duties of the poll-clerk require that whenever a person asks to be assisted on account of disability, the name of the person shall be placed in your book and the name of the person assisting him? A. Yes, and I think if you look in my book you will find it there.

Q. Isn't it a fact that you only put in the names of four persons all that day, and those between the hours of 7 and 8, and at dinner-time, between the hours of 12 and 1; isn't that the fact? A. My memory is not as good as that; probably if I saw the book I would be able to tell.

Q. Isn't it the fact that you only put in the names of four persons in that entire district? A. If it is in the book it is so.

Q. And isn't it the fact that you only put those names in at the request of one of the Republican inspectors when Mr. Adams was out to dinner? A. No, sir; that was my duty to do and I done it.

Q. How many people, to the best of your recollection, took the benefit of the disability act that day? A. I can't tell; I was busy; it took all my time to get down the names and addresses and the age.

Q. And you were spending your time during that day writing at a table the names and addresses in a book, weren't you? A. Yes, sir.

Q. You noticed the condition of Martin Hines, didn't you? A. Yes, sir.

Q. You knew him? A. I knew him.

Q. And you knew he wasn't blind? A. I knew he wasn't blind, but he couldn't see.

Q. Did he swear that he was actually blind before he went into that booth? A. Did he swear that he couldn't see at all?

Q. Yes. A. Am I forced to answer that?

Q. Yes; did he make an oath that he was totally blind? A. How could a man swear he was totally blind if he wasn't?

By the Chairman:

Q The question is did he make such an oath, that he was blind? A. I couldn't tell how he swore; I didn't hear him swear that he was totally blind; he swore in his vote.

Q. Did you hear the oath administered to him! A. Yes.

Q. Do you know whether that oath was administered to him in such a form that he swore he was totally blind? A. Well, he swore that he was disabled.

Q. He didn't swear that he was totally blind? A. I couldn't tell; I don't know how he did swear; I know he did swear in his vote.

By Mr. Kneeland:

Q. You couldn't tell from where you sat how any of these people swore, could you, except that they took an oath? A. I saw them take their oath.

Q. Could you tell from where you sat what that oath was? A. Well, no; in the one case he was physically disabled.

Q. With the exception of that one case, can you swear what was said by the officer when he gave the oath? A. I was too far back.

Q. Could you in that one case hear then? A. Well, yes; because I paid particular attention to that because I knew him.

Q. What did he say? A. I don't know what he said any more than he was disabled.

Q. Who was the man? A. Martin Hines.

Q. Did he say he was disabled or that he had a difficulty with his eyesight? A. He swore that he was physically disabled.

Q. Do you mean to say that he said he was physically disabled or that that was in the oath that was given to him by the inspector? A. He swore that.

Q. He said that? A. That was the oath; you asked me what the oath was and I told you.

Q. What was the oath; what did the inspector say? A. I don't know what the inspector said.

Q. When he gave the oath? A. When he gave the oath I wrote his name down and I didn't pay any attention to what the inspector said.

Q. What did the voter say then? A. It is too far gone; it has slipped my memory.

Q. You don't remember anything about what was said at that time? A. I just told you; swore his vote in.

Q. You can't remember what was said? A. Not any more than that he swore he was physcally disabled.

Q. Did he use the word physicially disabled, or did he say I am unable to see very closely, or what did he say? A. Well, I can't answer that question; I don't remember.

Q. How far did you sit from these people when they took their oaths? A. About as far as you are from me.

Q. Ten or fifteen feet? A. All of that.

Redirect examination by Mr. Hughes:

Q. How long have you known Martin Hines? A. I knew him all my lifetime.

Q. During the last three or four months of his life what was the condition of his arms? A. Well, they were kind of helpless; sort of like paralyzed.

Q. You have seen Martin walking around the streets, haven't you? A. Yes, sir.

Q. Just show us about the way his arms were generally going when he was walking around the street? A. They kind of swung.

Q. How old a man was he about? A. I should judge about 55 or something like that.

Recross-examination by Mr. Kneeland:

Q. Did you see a man there that day who voted that in your opinion was totally blind? A. No, sir.

Q. Didn't you hear the inspectors on certain occasions ask the policeman to go up and take Hagerty away from the polls? A. Who was the inspector there that day?

Q. Any of the inspectors; didn't you hear on several occasions one of the inspectors request the policeman to go up and order or take Justice Hagerty away from the booths? A. No.

Q. Never heard of that? A. No.

Q. Didn't you see the policeman go up there on several occasions and request Justice Hagerty to come away from the booth? A. No.

Q. Did you see the policeman go up to the booths on any occasion when Justice Hagerty was there at the booths? A. He went up to the booths.

Q. When Hagerty was at the booth? A. When he was outside of the booth.

Q. When he was at the booth? A. He was at the booth when the policeman went up [but the door was closed].

The part of the answer in brackets is objected to and stricken out, upon motion.

Q. How many times did you notice the policeman up that way when Judge Hagerty was at the booth? A. He went there once to my knowledge when I see him.

Q. What did he go up there for? A. That is more than I can tell; I just happened to look up and see him there.

By Mr. Hughes:

Q. I understand this Mr. Adams, who testified, was a Republican inspector, was he not? A. He was supposed to be.

Q. How much was Mr. Adams there during that day? A. He was there from the opening of the polls till about 8 o'clock, and then he went out to breakfast about 9 o'clock and came back about twelve and a half.

Q. Did he go out again? A. I didn't notice whether he went out again, but on an average he was in and out pretty much all day.

By the Chairman:

Q. I don't understand what you mean? A. He was running in and out all day.

Q. Do you mean to say he was out at other times than the hours you have mentioned? A. Yes, he was running across the street.

Q. When? A. Two or three times in the afternoon.

By Mr. Hughes:

Q. He was out from eight and a half till twelve and a half in the morning? A. About that.

Q. And after that he was out and in all day? A. Yes; he kept running across the street.

Q. And there was no reason for his going out, was there? A. No, sir.

Michael O'Brien, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. What is your residence? A. 368 Hudson avenue.

Q. And your business? A. Clerk.

Q. Were you at the Thirteenth district of the Eleventh ward on the day of election? A. Yes, sir.

Q. You were a Democratic watcher? A. Yes, sir.

Q. Mr. Abbott testified here that you offered him some money to let you do as you pleased on that day, or something to that effect; did that ever occur? A. No, sir.

Q. Did you ever offer him or anybody else any money? A. I never paid anybody in my life anything, or offered anybody anything.

Q. About how many years have you had charge of that district? A. Four.

Cross-examined by Mr. Kneeland:

Q. Were there any persons that voted in that ward at the last election that were totally blind, in your opinion? A. Not totally blind, no, sir; I didn't suppose the law required it (and I don't think it does now).

The part of the answer in parentheses is objected to and stricken out upon motion.

By Mr. Elliott:

Q. Do you know of anybody who voted as blind who was blind? A. Do you mean stone-blind?

Q. Yes? A. I do not; not one.

By Mr. Hughes:

Q. You have known voters on both sides, Republican and Democratic voters, that were unable to see ballots?

Objected to. Objection sustained.

Q. Do you know voters who claimed to vote the Republican ticket and also who claimed to vote the Democratic ticket this last election, who were unable to see, by reason of blindness, the names on the ordinary ballot?

Objected to. Objection sustained.

Q. Can you name any particular one that went in with a Republican officer, or a man having charge of the Republican booths on that day that went in? A. Yes, sir.

Q. How many? A. I know one that I can call to my mind now, Mr. Phillips.

Q. That is the blind man? A. He is not totally blind.

Q. You have known him for how long? A. To the best of my information I am pretty sure I have seen him walking the street; he is not to my mind perfectly blind.

Q. How long have you known him? A I have lived in the Eleventh ward all my life; I have known him all my life, more or less.

By Mr. Elliott:

Q. You know he is recognized as a man that is blind? A. I call him a man with very poor sight.

Q. He has to be led? A. Sometimes, and sometimes he does not; I have seen him walking alone, very often.

Joseph M. Quigley, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. Where do you live? A. No. 11 Bolivar street.

Q. What is your business? A. Clerk.

Q. You were at the Fourteenth district of the Eleventh ward on election day? A. Yes, sir.

Q. In what capacity? A. Watcher.

Q. Democratic watcher? A. Yes, sir.

Q. And you were around the polling place nearly all day long? A. Yes, sir.

Q. Did you see Judge Hagerty there? A. I did.

Q. Do you know how many voters Judge Hagerty assisted who took the disability oath? A. I couldn't really say; I have known him to go in with a couple of voters; I couldn't say how many.

Q. Did he go in with more than two voters? A I saw him with two or more after they had taken the oath.

Q. Do you know about how mauy? A. I couldn't positively say.

Q. Was it more than five? A. There may have been.

Q. Could you tell about how many he went in with?

Objected to. Objection sustained.

Q. Outside of those who took the disability oath that he went in with, did he go in any of the election booths? A. No, sir.

Q, You are quite positive of that? A. Yes, sir; positive.

Q. There has a witness testified that he went in with some person of a Jewish name, Ruben Gershnowitz? A. I remember the name, but I couldn't positively say who went to the booth with him.

Q. Do you know whether Judge Hagerty did or not? A. That I couldn't say.

Q. Was there any interference with voters or attempted interference with voters? A. There was no interference from the time the polls opened until the polls closed, only one man came along who was drunk, and in the act of coming out of the booths with his vote open and not folded, and I remember Judge Hagerty spoke to such a man in two cases, desiring that they should go back in the booth and fold their ballot in proper form; I remember two names, one at the corner of Bolivar street and Navy, I think his name is Donlan, and I can't call to mind who the other was; but anything further than that, directly or indirectly, interfering with the voting, there was nothing at all happened.

Cross-examined by Mr. Kneeland:

Q. You were a Democratic watcher there, were you? A. Yes, sir.

Q. Did you have a certificate? A. Yes, sir.

Q. Who was the other Democratic watcher? A. Judge Hagerty.

Q. He had a certificate? A. Yes.

Q. You say you are a clerk? A. Yes.

Q. In what department? A. In the Subway Commission.

Q. And you were in that position then, were you not? A. Yes, sir.

Q. Did you see any one that day who voted, that in your opinion was totally blind? A. I don't think I did—not totally blind.

Q. You assisted a number of people in there that day, didn't you. A. I did, sir.

Q. We will take the first one, Nicholas Doran; do you know him? A. I don' remember the name.

Q. Do you know William Hughes, of 19 Bolivar street? A. Yes, sir.

Q. How long have you known him? A. I have known him I suppose twenty years—probably longer.

Q. What is his business? A. He is a man in the coal business.

Q. Where is his place of business? A. I couldn't tell you.

Q. Is he working for a coal man? A. No, sir; he sells coal on commission.

Q. Is he a blind man? A. I can't state that the man is blind; he is a man very well advanced in years.

Q. Did you hear him when he took the oath on that day? A. Yes, sir.

Q. You assisted him, didn't you? A. I did.

Q. Did he swear at that time that he was totally blind? A. I didn't hear what the oath was he had taken, but they asked him the question who did he want to go in the box and he referred to me, and I was outside the rail at the time and they called on me.

Q. Where did you stand? A. Outside the rail, conversing with somebody at the time he was taking the oath.

Q. And you didn't hear the oath? A. No, sir.

Q. Did you understand what the oath was taken for? A. No, I did not.

Q. Do you mean to say you assisted him without knowing what his disability was? A. Yes, sir; he called on me at the time and asked me and he said Mr. Quigley, and they called on me.

Q. Who went into the booth first? A. He did, I guess; I couldn't positively say; I may have went in first.

Q. Did he have the ballots in his hand when he cast them? A. Yes, sir.

Q. Did he come out of the booth and go around and hand them to the inspector? A. He did.

Q. He couldn't be very blind then? A. I couldn't account for that; I don't know about it.

Q. Does he read and write? A. I don't know; I can't tell.

Q. Does he keep books at his place of business? A. I can't tell you that; I don't know; I told you he sold coal on commission; I don't know where his place of business is, any more than his residence is 19 Boliver street.

Q. Did you assist any other voters? A. I remember going in the booth with an old man named Connaughton, Navy street.

Q. What is his business? A. He is a laboring man, I guess.

Q. Who does he work for? A. I couldn't really tell you; he is a man that has been sick for ——.

Q. Is he blind? A. No; he is physically disabled, and was walking on crutches; he couldn't stand alone.

Q. What is his disability? A. He has lost the power of his limbs.

Q. His legs? A. Yes, and his arms [He is a man that hasn't been out of the house ——].

The part of the answer in brackets is objected to, and stricken out upon motion.

Q. If he walks on crutches he handles them with his hands, doesn't he? A. I don't suppose the man has been away from his house three times in a year; I am positive he hasn't been any further than one hundred feet from his house, and he has almost lost the whole control of his legs and arms; he has to be assisted, and he has those crutches for to try and steady him up.

Q. How could he get along at all on crutches if his hands were so paralyzed that he couldn't use them? A. There was parties helping him come out to the polls that day and assisted him back again.

Q. Do you know who they were? A. I couldn't really tell you.

Q. Do you know John H. Wilson, 365 Hudson avenue, colored? A. No, sir; I don't remember him.

Q. Did you assist a colored man that day? A. I think I have.

Q. You don't know Wilson as Wilson? A. I don't know Mr. Wilson.

Q. It doesn't convey any impression to your mind? A. No, sir; I don't remember who he is.

Q. Did you assist Frederick Latten, 181 Navy street? A. I couldn't say; I may have assisted him.

Q. How many people did you assist that day? A. I think probably a half a dozen.

Q. How many of those people claimed blindness? A. I couldn't say.

Q. How many of them claimed physical disability, outside of blindness? A. I couldn't say what oath they have taken in regard to disability.

Q. Did you hear the oath taken by anyone that day? A. Yes, sir; I have seen the inspector put the oath to several that day; I didn't pay no particular attention to it.

Q. Did you hear the oath given to any one of those persons that you assisted that day? A. Yes; I heard it given to several.

Q. Did any of the people that you assisted, swear that they were totally blind? A. I don't know if they did [they swore they were physically disabled in regard to their sight, probably.]

The part of the answer in brackets is objected to and stricken out upon motion.

By the Chairman:

Q. Do you know whether either of them said they were blind? A. No.

By Mr. Kneeland:

Q. What time did you go there in the morning? A. Before 6 o'clock.

Q. How long did you stay there that time? A. I stayed there until about 8 o'clock in the morning, and then run around to the house and got a cup of coffee and came back and stayed there till sometime after 1 o'cock, and went home to the house and got something to eat; was gone about ten minutes, and came back and remained until after the polls closed.

Redirect examination by Mr. Hughes:

Q. What was the condition of the polling place in regard to light? A. Some of the booths were very dark, and if I remember right, a policeman one time during the morning had to go in the booths, and light candles; some of them.

By Mr. Kneeland:

Q. Isn't it a fact that the electric light was burning from a central place there all day long, except about a minute in the afternoon, when it went out? A. No, sir; I don't think it was; I don't believe it was.

Q. Do you know whether it was? A. I don't believe it was; I won't say positively, but I don't believe there was a light there all day.

By Mr. Elliott.

Q. Will you say that the persons who claimed assistance during the day were assisted by Republican or Democratic watchers? A. By both.

Q. In what instances? A. I can't recall to mind.

Q. Can you recall to mind but one single person who claimed physical disability who was assisted by the Republican watcher.

Q. I couldn't call any to mind as a fact.

By Mr. Hughes.

Q. Do you know persons who claimed to be Republicans who took the disability oath?

Objection to. Objection overruled.

A. I don't remember.

Rollin A. Breckinridge recalled.

By Mr. Kneeland:

Q. You have testified to a number of people assisting persons who claimed the disability act in the Fourth district of the Ninth ward; will you state whether those persons who assisted them were Democratic or Republican watchers, if you know, at that election?

Objected to as already stated.

A. I can state.

Q. Which were they, Democratic or Republican workers? A. Democratic workers.

Cross-examined by Mr. Hughes:

Q. What do you base your judgment on that they were Democratic workers? A. In reference to one of the workers who assisted a number, I know him personally, and know that he was the Democratic captain of the district, and since the election he has stated to me that he was working in the interest of the Democratic candidates; in reference to another he was directed by the captain of the district to assist a number of persons; in reference to the third, when I first, as a watcher or challenger, challenged a person who presented himself to vote he accosted me and threatened to put me out if I tried any such thing as that, and said that the Democrats were running that district, and I settled on him as a Democrat; in reference to the others, if

there were others, and I think there were one or two others, any information that I have would be simply general, that they were working for the men whom I knew to be working for the Democratic ticket.

Q. You didn't see any of the paster ballots that they handed to any of the voters? A. Not that they handed to them in the booths.

Q. No, I am speaking of outside the booth? A. I saw the captain of the district, I saw a Mr. Smith, whom I have spoken of, though I have not spoken of him by name before, with Democratic paster ballots in their possession, and I didn't see any others; I don't know that they gave those in all cases.

Q. Did you look at the ballots that they had in their possession? A. I did.

Q. Did you read them? A. I read sufficient to know what they were.

Q. Did you see them hand the ballots you read to any of the voters? A. That, as I stated, I couldn't say.

Q. You attended at the county board of canvass at the making up of returns for Assembly, did you not? A. I did.

Q. You were here during all of the canvass, were you not? A. I was.

Q. As soon as each return was opened, unsealed, you saw it? A. Not in all cases, but as soon as I could.

Q. They didn't go out of their possession; you stood there during the time the canvassers were there, and went out to lunch when they went out and returned when they did? A. I was there when they were there.

Q. And each return that they opened you examined, did you not? A. In reference to this Assembly district, yes.

Q. And you made up the total vote, didn't you, as soon as the returns were opened? A. I made up the total vote, but I won't say as to the time.

Q. From the returns that were sent in by the district canvassers to the county canvassers you made up the total vote for Assemblyman for this district? A. Yes.

Q. After you made it up you spoke to me, did you not? A. A good many times; yes, sir.

Q. Do you remember asking me as soon as you made it up if I made my majority eighty-seven? A. I don't remember any such conversation.

Q. That was the majority that you made up from the face of the returns anyhow, wasn't it? A. I think so.

Q. After those returns were opened there there were several defects, were there not, in not writing out the total number of the constitutional vote; in not bringing out the written vote instead of numbers and so on? A. The books were in very bad shape in respect to those matters and others.

Q. And they were returned to the district canvassers for correction, weren't they? A. I do not know.

Q. You know they were marked to be returned in your presence? A. I know they were so marked.

Q. Now, after they came back did it make any change in the assembly vote? A. I never have seen the books since.

Q. Haven't you compared the total canvass made up by the county clerk with your figures? A. Since the corrections were made, if any were made.

Q. Yes? A. No, sir; I compared it the very day that the canvass was completed before any changes were made to my knowledge in any returns.

Q. Do you swear now that the canvas was completed before the changes were made? A. I have no knowledge as to whether it was or not.

Q. Don't you know, as a matter of fact that the canvass was not completed until after the returns were brought back? A. I know it was not officially completed, but I am speaking of my figures.

Q. Haven't you compared your figures with the official figures as you have since found them? A. You mean the official figures as transmitted to the Secretary of State by the county clerk?

Q. Yes? A No, sir; I have not.

Q. Haven't you read those figures in any place? A. Personally, I have not.

Q. Haven't you read them in the Eagle Almanac? A. I have not; I know they are there.

Q. And don't you know they are exactly as you made them out? .A I do not; no, sir.

Q. If they show a majority of eighty-seven they are exactly the same? A. I think the majority shown by my figures was eighty-seven.

Q. Don't you know it was? I don't know, as matter of fact, whether it was positively at that time.

Q. Can you tell what it was positively? A. No, I cannot; I think it was eighty-seven; I can't swear it was.

Q. And that is the best you can state, that you think it was eighty-seven? A. That is right.

Q. And if it shows the same figures since there hasn't been any change has there, since the books were first opened? A. I can't say as to that.

David Walsh, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. What is your business? A. Mason and plasterer.

Q. Were you an election officer in the Seventh district of the Eleventh ward on the last election? A. Yes, sir; poll clerk.

Q. There has been testimony offered here that some voters were interfered with during the day? A. There was Mr. Paff who got inside the railing and the chairman ordered him out, and he said there was nobody in the house could put him out, and he called in the assistance of the policeman and the policeman put him out, and he knocked down the guard-rail, and at the time there was lots of voters there, and he interfered with the voters.

Q. Did Mr. Paff show a watcher's certificate? A. No, sir.

Q. Did you see his condition that day? A. Yes, sir.

Q. Was he sober" A. I think he was a little under the influence of liquor.

Henry Beverly, called on behalf of contestee, being duly sworn, testified as follows:

By Mr. Hughes:

Q. What is your residence? A. 217 Navy street.

Q. What is your business? A. Stonecutter.

Q. Did you hold an election office on election day? A. Yes, sir; ballot clerk.

Q. At what district? A. Seventh district.

Q. And you were there during the day? A. Yes, sir; all day.

Q. Were you there when Mr. Paff attempted to enter the polling-place? A. Yes, sir.

Q. How many voters were in line at that time? A. Four or five; all that there was room for.

Q. Did Mr. Paff claim to be a watcher, or show any watcher's certificate? A. He claimed to be a watcher and shoved inside of the rail; and somebody said, put him out, and the officer put him out, and all hands with him.

Q. What happened when he was going out? A. They were all pulled out together; he got his coat torn and another man got his vest torn.

Q. Did the voters afterwards vote that were standing in line? A. Yes, sir,

Cross-examined by Mr. Elliott:

Q. You didn't take a drink that day, did you? A. No, sir; I did not, nor since.

Contestee rests.

Testimony closed.

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